

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.09.2017

Coram:

The Hon'ble Mr. Justice T.S. Sivagnanam

W.P.No. 25536 of 2017

and

W.M.P.No.26943 of 2017

1. Tmt. S. Epsi

2. Mr. S. Johnson

3. Mr. S. Ammal Raj ...Petitioners

Versus

1. The Special Tahsildar (Lands and Estate)
Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

2. The Assistant Executive Engineer,
DAE/XI,
Chennai Metropolitan Water Supply and Sewage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002.

3. The Area Engineer - IV,
Chennai Metropolitan Water
Supply and Sewage Board,
Vyasarpadi, Chennai 600 039. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari call for the records of the first respondent, in Form 1 - Demand Notice under Section 7 dated 03.06.2016 in respect of the petitioners' premises at No.62 (110-A), Dr. Ambedkar College Road, Vyasarpadi, Chennai - 600 039, and to quash the same as illegal and invalid.

For Petitioners : Mr. N. Suresh

For Respondents : Mr. M. Jothikumar
Standing Counsel

O R D E R

Heard Mr. N. Suresh, the learned counsel appearing for the petitioners, and Mr. M. Jothikumar, the learned Standing Counsel appearing on behalf of the respondents.

2. The petitioners have challenged Demand Notice issued by the respondent/Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) demanding the arrears of water and sewerage tax.

3. Today, when the matter was taken up for admission in the forenoon session, the learned Standing Counsel for the respondents was directed to accept notice and to take necessary instructions as to whether the building has water and sewerage connections, and the matter has been passed over.

4. Accordingly, when the matter is taken up at post lunch session, the learned Standing Counsel has got instructions and produced a file, which shows that the building has water and sewerage connection. That apart, the petitioner has issued two cheques, bearing Nos.000036 and 000042 respectively to the respondent/CMWSSB, one dated 10.08.2017 for Rs.25,000/- and another, dated 31.08.2017 for Rs.30,000/-. Apart from that, there is also another cheque, issued by the petitioner, and all these cheques have been returned unpaid on account of "Insufficient Funds". These facts have not been disclosed by the petitioner before this Court. Therefore, when this Court expressed its opinion proposing dismissal of this Writ Petition with exemplary costs, and was about to do so, at that juncture, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the Writ Petition. He has also made an endorsement to that effect on the reverse of this Writ Petition. In view of the endorsement made by the learned counsel for the petitioner, this Writ Petition is dismissed as withdrawn. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

mrr/sd

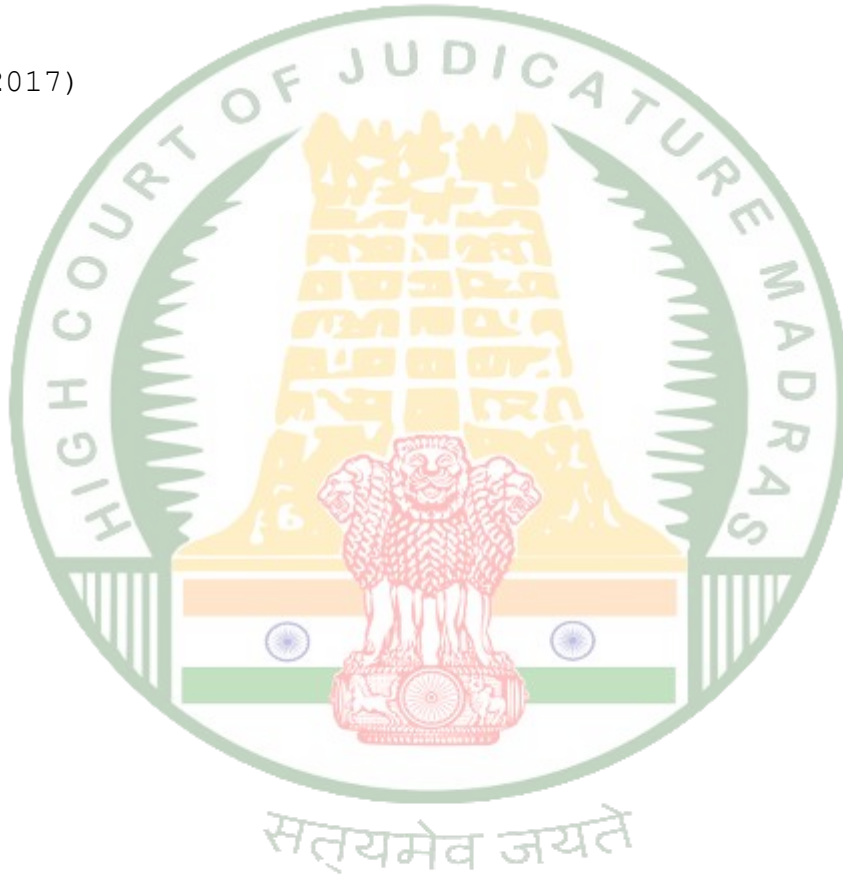
To

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NM(CO)
GN(13/11/2017)



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