

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2017

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25117 of 2004

Hansa Estates Private Limited

Khivraj Estates, IV Floor,

624, Anna Salai, Chennai-600 006.

Rep. by Mr.S.J.Raman, Manager-Finance

... Petitioner

Vs.

1. The Secretary,
Housing & Urban Development
Govt. of Tamil Nadu,
Fort St. George, Chennai.

2. The District Collector,
Kanchipuram District,
Collectorate Building,
Kanchipuram-631 501.

3. The Executive Officer,
Sembakkam Panchayat
Sembakkam, Chennai-600 073.

4. The President,
Sembakkam Panchayat,
Sembakkam, Chennai-600 073.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to provide drainage facility for the discharge of excess sewage and drainage water from the flats constructed in property bearing Survey Nos.158/2A to 2G and 2I and 156/3B of Rajakilpakkam Village, Tambaram Taluk, Kanchipuram District by the petitioner.

For Petitioner

: Mr.N.B.N.Swamy

For 1st and 2nd Respondents

: Mr.M.Elumalai,
Government Advocate

For 3rd and 4th Respondents : M/s.G.Sankaran

O R D E R

The petitioner/private promoter namely, Hansa Estates Private Limited has constructed a flat after obtaining necessary permission from the local bodies as well as CMDA and handed over the possession to the beneficiaries. Thereafter, the petitioner/private promoter namely, Hansa Estates Private Limited has filed this writ petition seeking issuance of Writ of Mandamus for providing drainage facility for the discharge of excess sewage and drainage water from the flats constructed in property bearing Survey Nos.158/2A to 2G and 2I and 156/3B of Rajakilpakkam Village, Tambaram Taluk, Kanchipuram District.

2. The 4th respondent has filed a counter. The relevant portion in para 6 of the counter is reads as follows:

"It is respectfully further submitted that there is no Scheme being implemented so far by the Govt. Authorities to provide sewage system in Sembakkam Panchayat which is being implemented in certain local bodies like Alandur Municipality, Pallavaram Municipality. It is also pertinent to point out that even in the adjacent Tambaram Municipality so far providing sewage system has not been extended. However, this panchayat has resolved for providing of sewage system through the resolution No.7 dated 28.2.2005 as listed in Sl.No.1 and forwarded to the Govt. Authorities for sanction of project as listed in Sl.No.2 of the Typed set".

3. On perusal of counter, it reveals that the respondent panchayat has passed a resolution No.7 dated 28.2.2005 as listed in Sl.No.1 and the same was forwarded to Government for sanction of project. Since the Government has to take decision at various levels, we hope the authorities will provide the facilities as soon as possible.

4. Accordingly, recording the counter filed by the respondent, the writ petition is closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Housing & Urban Development
Govt. of Tamil Nadu,
Fort St. George,
Chennai.
2. The District Collector,
Kanchipuram District,
Collectorate Building,
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Sembakkam Panchayat
Sembakkam, Chennai-600 073.
4. The President,
Sembakkam Panchayat,
Sembakkam,
Chennai-600 073.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.60579
+1cc to the Government Pleader, S.R.No.61057

W.P.No.25117 of 2004
and
W.P.M.P.No.30553 of 2004

PPA(CO)
CA(05/10/2017)



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