

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 20327 of 2018

E.S.Charley

... Petitioner

Vs

1. The Assistant Engineer,
Area VII Division No.110,
CMC Bill No.05-41000001,
Chennai Metropolitan Water
Supply and Sewerage Board,
28, Sathiyamurthy Road,
Chetpet, Chennai-31.

2. A.Elizabeth

3. A.Daniel Raja

4. A.ruby Jesintha

5. A.Jansirani

6. Sahayamary @ Mary ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to grant water and sewerage connection for the ground floor of the premises bearing Old No.8, New No.21, R.S.No.36/2, O.S. 448, Panakara Thiruveedian Street, St.Mackeys Garden, Thousand Lights, Chennai-6 as per the application dated 08.04.2009 for which charges of Rs.45,100/- has been paid by the petitioner.

For Petitioner : Mr.K.R.Krishnan

For Respondent : Mr.N.Ramesh,
Standing Counsel for R-1

O R D E R

1. Heard Mr.K.R.Krishnan, learned counsel appearing for the respondent and Mr.N.Ramesh, Standing counsel for 1st respondent. Notice to respondents 2 to 6 is dispensed with as order being passed in the Writ Petition is no way cause any prejudice to them.

2. The present Writ Petition has been filed seeking a direction to the 1st respondent to effect the water and sewerage connection to the ground floor of the premises bearing Old No.8, New No.21, RS.No.36/2, O.S.448, Panakara Thiruveedian Street, St. Mackeys Garden, Thousand Lights, Chennai-600 006.

3. According to the petitioner, he is a tenant in the above said premises and the respondents 2 to 6 are the landlords. Earlier, on 01.09.2009, the petitioner entered into a lease agreement with the respondents 2 to 6 and they have also permitted the petitioner to put up the ground and first floor in the above said property. Pursuant to the same, the petitioner also put up a construction to an extent of 500 sq.ft. and a sum of Rs.14 lakhs was spent by the petitioner for the said construction.

4. Thereafter, the petitioner has filed an application before the respondent on 08.04.2009 for the grant of water and sewerage connection and also paid the necessary charges for the same. For the past 9 years, the respondent has not passed any orders and keeping the application pending. Hence, the present Writ Petition has been filed.

5. Today, when the matter taken up for hearing, the learned counsel appearing for the 1st respondent submitted that since the respondents 2 to 6, who are the landlords of the premises have raised the objection and hence, no order has been passed in the application filed by the petitioner.

6. Considering the fact that the application is pending from the year 2009, without going into the merits of the case, I am of the view, to direct the 1st respondent to consider the petitioner's application dated 08.04.2009 and to pass orders on merits in accordance with law within a period of six weeks from the date of receipt of the copy of this order after issuing notice to the petitioner and respondents 2 to 6.

7. With the above direction, the present writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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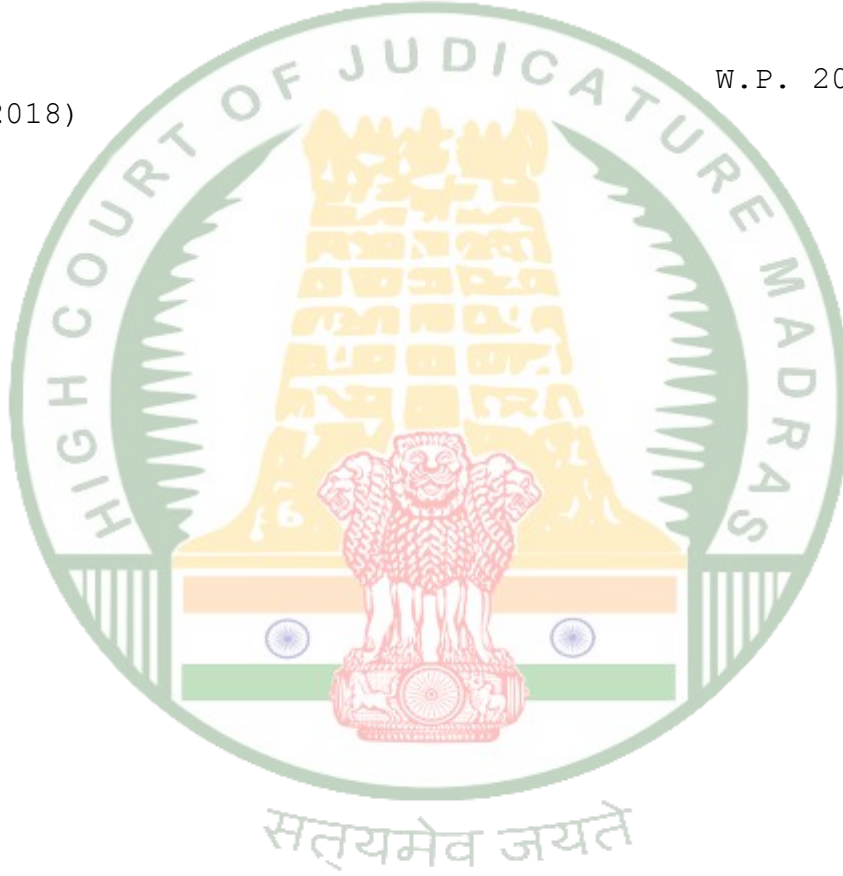
To

The Assistant Engineer,
Area VII Division No.110,
Bill No.05-41000001,
Metropolitan Water and Sewerage
Board,
Sathiyamurthy Road,
Chennai-31.

+lcc to Mr.K.R.Krishnan, Advocate, S.R.No. 57174
+lcc to Mr.N.Ramesh, Advocate, S.R.No. 57601

GN(06/09/2018)

W.P. 20327 of 2018



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