

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2018

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.21324 of 2018

and

WMP.No.24995 of 2018

C.Dayavathi

... Petitioner

vs.

1.The Managing Director
Chennai Metro Water Supply and Sewerage Board
No.1, Pumping Station Road
Chintadripet, Chennai-600 002.

2.The Area Engineer - XII (DIV-173)
Chennai Metropolitan Water Supply and
Sewerage Board
No.42, 1st Main Road,
Indhira Nagar, Adyar, Chennai-600 020.

3.The Special Tahsildar - XII (Div.173)
Chennai Metropolitan Water Supply and
Sewerage Board
No.42, 1st Main Road, Indhira Nagar
Adyar, Chennai-600 020.

4.The President
Govindarajapuram Welfare Association
Govindarajapuram
Adyar, Chennai-600 020.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 herein, to consider the petitioner's representation dated 30.04.2018, in respect of tenanted commercial property at No.26, Sardar Patel Road, Adyar, Chennai-600 020 and take lawful action on the same.

For Petitioner	: Mr.V.Ramana Reddy
For Respondents	: Mr.N.Ramesh
	Standing Counsel for R1 to R3

O R D E R

This writ petition is filed by a tenant in respect of the building, for which, the property tax and water tax have been assessed in the name of its owner viz., Govindarajapuram Welfare Association.

2. The petitioner being one of the tenant in the said building, seeks mandamus directing the respondents to consider her representation dated 30.04.2018 in respect of the tenanted commercial property.

3. Mr.N.Ramesh, learned standing counsel takes notice for the respondents 1 to 3.

4. Perusal of the affidavit filed in support of the writ petition and the representation dated 30.04.2018 made by the petitioner would disclose that the petitioner is not having any locus standi to maintain the present writ petition, even though the same is filed for disposal of her representation. Admittedly, the petitioner is a tenant under the fourth respondent. It is also not in dispute that the assessment of the property tax and water tax was made in the name of the fourth respondent and not in the name of the petitioner. If the petitioner has any grievance in respect of the payment of water tax on behalf of the owner, it is for her to work out the remedy against such owner privately in the manner known to law. Therefore, the petitioner is not entitled to seek the present relief, even though the same pertains to her representation dated 30.04.2018. Therefore, leaving all her rights open to be agitated against the owner of the property, if the same is sustainable in law, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

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To

1. The Managing Director

Chennai Metro Water Supply and Sewerage Board

No.1, Pumping Station Road

Chintadripet, Chennai-600 002.

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2.The Area Engineer - XII (DIV-173)
Chennai Metropolitan Water Supply and
Sewerage Board
No.42, 1st Main Road,
Indhira Nagar, Adyar, Chennai-600 020.

3.The Special Tahsildar - XII (Div.173)
Chennai Metropolitan Water Supply and
Sewerage Board, No.42, 1st Main Road, Indhira Nagar
Adyar, Chennai-600 020.

+1 CC to Mr.V.Ramana Reddy, Advocate sr 57466.

+1 CC to Mr.N. Ramesh, advocate sr 57602.

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SP(31/08/2018)



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