

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.15476 of 2013

Jayanthi Sundhar

.. Petitioner

Versus

- 1.Chennai Metropolitan
Water Supply and Sewerage Board,
Rep.by its Managing Director,
No.1, Pumping Station Road,
Chennai - 2.
- 2.Area Engineer,
Area X,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.9, Muthukrishnan Street,
T.Nagar, Chennai - 600 017.
- 3.Chennai Metropolitan Development Authority,
Rep.by its Member-Secretary,
No.1, Gandhi - Irwin Road,
Egmore, Chennai - 600 008.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus, directing the respondents 1 and 2 herein to receive the application of the petitioner to consider and provide Water and Sewerage connection to the building put up by the petitioner at Old Door No.42, New No.5, North Usman Road, T.Nagar, Chennai -17 comprised in T.S.No.8678 & 8679 Block No.118 of T.Nagar Village, Mambalam, Guindy Taluk without insisting upon Completion Certificate / No Objection Certificate from the 3rd respondent.

For Petitioner : No appearance

For Respondents : Mr.N.Ramesh
Standing counsel for R1 & R2
Mr.P.S.Ganesh
Standing counsel for R3

O R D E R

Heard Mr.N.Ramesh, learned Standing counsel for the respondents 1 and 2 and Mr.P.S.Ganesh, learned Standing counsel for the third respondent. No representation for the petitioner. Even on 03.07.2018, there was no representation for the petitioner and hence the writ petition was posted today 'for dismissal'.

2.The learned Standing counsel for the respondents 1 and 2 submitted that the prayer sought for in this writ petition cannot be granted in view of the judgment of the Division Bench of this Court in W.A.No.714 of 2009, dated 29.06.2010.

3. The learned Standing counsel for the third respondent submitted that as per the Regulation 5 (a) of Development Regulations, the Government of Tamil Nadu in G.O.Ms.No.190 H & UD Department, dated 2.9.2008, it is mandatory on the part of the developer to put up the building into use only after obtaining Completion Certificate. But, the petitioner has not completed the construction of the building.

4. In the light of the above submissions, this writ petition is dismissed for non Prosecution. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
Chennai Metropolitan
Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chennai - 2.

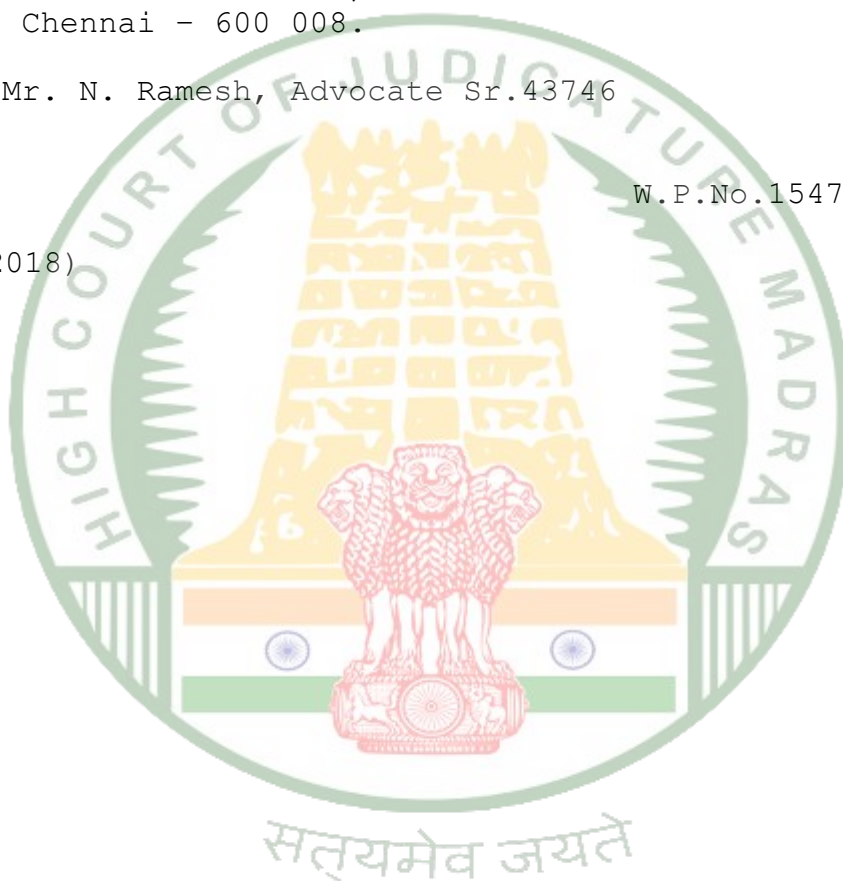
2.Area Engineer,
Area X,
Chennai Metropolitan Water Supply and
Sewerage Board,
No.9, Muthukrishnan Street,
T.Nagar, Chennai - 600 017.

3.The Member-Secretary,
Chennai Metropolitan Development Authority,
No.1, Gandhi - Irwin Road,
Egmore, Chennai - 600 008.

+ 1 cc to Mr. N. Ramesh, Advocate Sr.43746

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PA(CO)
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