

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.07.2018

CORAM

The Hon'ble Mr.Justice M.DHANDAPANI

W.P.No.33936 of 2006

Sundaram Medical Foundation
Dr.Rangarajan Memorial Hospital
Shanthi Colony, 4th Avenue,
Anna Nagar, Chennai - 40.
rep. by Mr.T.N.P.Durai,
Director Administration

..... Petitioner

Vs

Chennai Metro Water Supply
and Sewerage Board,
rep. by Area Engineer-V,
Chennai 600 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorari calling for the records of the respondent pertaining to the order bearing Lr.No.CMWSSB/Area-V/B & C/R6/8501/2006, dated 11/09/2006 and quash the same.

For Petitioner : Mr.AR.L.Sundaresan, SC
for Mr.T.K.Bhaskar

For Respondent : Mr.N.Ramesh

O R D E R

The challenge made in this writ petition is questioning the determination of annual rental value fixed by the respondent, which is exorbitant.

2. While ordering notice of motion, this Court, on 18.09.2006 has ordered as follows:

" Notice for admission. Post after two weeks for filing counter.

The learned Senior Counsel for the petitioner submitted that a sum of Rupees One Lakhs has been paid on 17.09.2006 and undertakes to pay another sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) immediately.

Interim stay till then. If the water and sewerage connections have already been disconnected, the same will be restored forthwith on payment of the said sum of Rs.75,000/-."

3.Learned Senior Counsel appearing for the petitioner by filing a Memo would submit that as per the aforesaid order, petitioner had already paid a sum of Rs.1,75,000/- however, with regard to the difference amount of Rs.1,54,976/- (Rupees One Lakh Fifty Four Thousand Nine Hundred and Seventy Six only), the petitioner is ready and willing to pay to the respondent, without prejudice to the rights and contention made in the writ petition.

4.The Memo filed by the learned counsel for the petitioner is placed on record. The petitioner is directed to pay the difference amount of Rs.1,54,976/- to the respondent, as per the Memo within a period of two weeks, from the date of receipt of copy of this order. Further, this order will not stand in the way of the respondent to proceed with the water tax demand if any, if otherwise, no legal impediment. It is left open to the petitioner to raise all his defence as and when such demand is raised by the respondent.

5.With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

smi

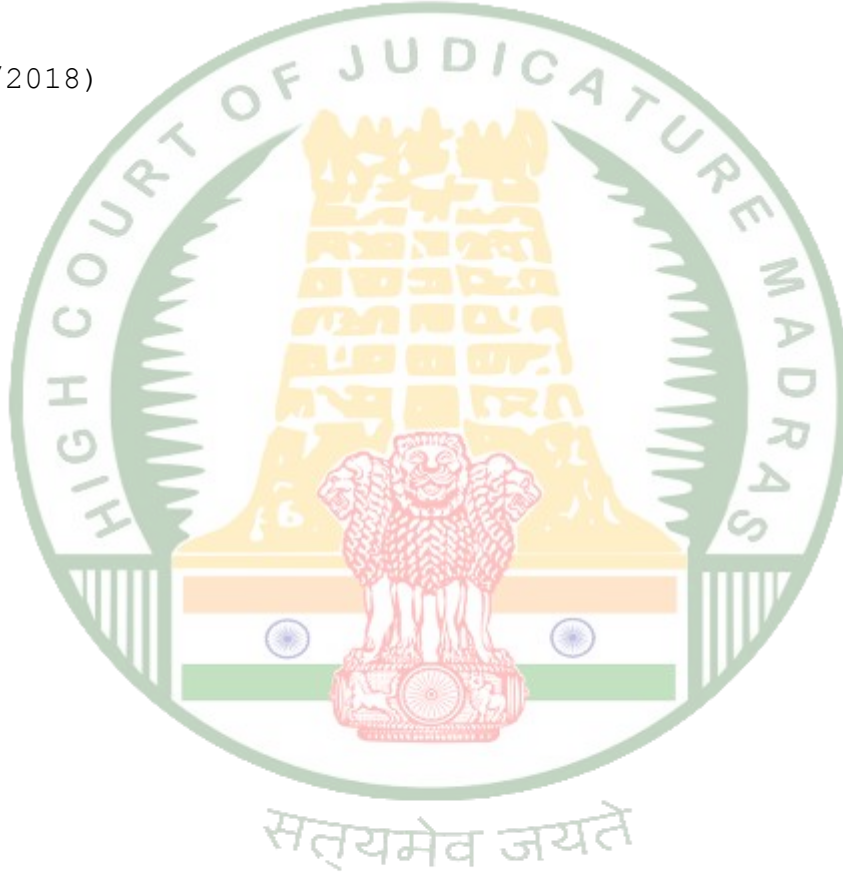
To

Chennai Metro Water Supply
and Sewerage Board,
rep. by Area Engineer-V,
Chennai 600 002.

+1cc to Mr.N.Ramesh, Advocate, S.R.No.42620
+1cc to Mr.T.K.Bhaskar, Advocate, S.R.No.42584

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KK (CO)
GSP (31/07/2018)



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