

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2019

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.13263 of 2009

and

W.P. No.8356 of 2015

and

M.P. No.1 of 2015 & M.P. No.1 of 2009

Mr.M.M.Ashraf Ali ...Petitioner in both W.Ps.

Vs

1. The Managing Director,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai - 600 002. Respondent in W.P.
No.13263 of 2009 and
1st Respondent in
W.P. No.8356 of 2015
2. The Deputy Collector,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.9, Muthukrishnan Street,
T. Nagar, Chennai - 600 017.
3. The Area Engineer, Area - X,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.9, Muthukrishnan Street,
T. Nagar, Chennai - 600 017. 2nd and 3rd Respondents in
W.P. No.8356 of 2015.

.....

Prayer in W.P. No.13263 of 2009: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Mandamus, forbearing the Respondent from collecting water charges for the period from 1993 to 2009 in pursuance to intimation slip issued in serial No.3013 dated 10th June 2009 and made in 08/126/0893/000036 in respect of premises (Ground floor) bearing No.3, Prakasam Road, T.Nagar, Chennai - 600 017.

Prayer in W.P. No.8356 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ or order of direction or any other Writ in the nature Writ of Mandamus, forbearing the respondents from collecting water charges for the petitioner premises in the ground floor bearing No.3, Prakasam Road, T.Nagar, Chennai - 600 017, pursuant to the notice dated 12.03.2015 issued by the 2nd respondent in respect of account of the petitioner bearing No.10/136/04982, 10/136/04996, 04962, 04995, 05019, 04984, 04963, 04993, 04986, 04980, 05000, 04967, 05001, 05018, 04983, 04972, 04998, 05002.

For Petitioner : Mr.G.Ravi Shankar in both WPs.

For Respondents : Mr.N.Ramesh,
Standing Counsel in both WPs.

C O M M O N O R D E R

Mr.N.Ramesh, learned Standing Counsel for the respondents confirms unequivocally that the respondents do not intend to pursue the demand of water charges and only pursue the demand qua water taxes and surcharge amounting, in all to a sum of Rs.1,02,988/- (Rs.37,382/- and Rs.65,606 respectively), as follows:

AREA X- Sep 2019					
ARREAR LIST-MR.M.M.Ashraf Ali, No.3 Prakasam Street, T. Nagar, Chennai - 600 0171					
Water Tax					
S. No	CMC BILL No.10/136	Name	Period	Tax	Sur-charge
1	10/136/04983/000	MP MD Moideen	01/2001 to 01/2014	4122	6835
2	10/136/04972/000	MP MD Moideen	02/2013 to 01/2014	282	222
3	10/136/04980/000	MP MD Moideen	02/2013 to 01/2014	328	258
4	10/136/04982/000	MP MD Moideen	02/2013 to 01/2014	282	222
5	10/136/05000/000	MP MD Moideen	02/1995 to 01/2014	5853	12687
6	10/136/05019/000	MP MD Moideen	Nil	0	0
7	10/136/05001/000	MP MD Moideen	01/2001 to 01/2014	4122	6835
8	10/136/05002/000	MP MD Moideen	01/2001 to 01/2014	2944	4153
9	10/136/05018/000	MP MD Moideen	01/2001 to 01/2014	4122	6835
10	10/136/04984/000	MP MD Moideen	02/1998 to 01/2014	6087	13113

AREA X- Sep 2019					
11	10/136/04986/000	MP MD Moideen	02/2013 to 01/2014	282	222
12	10/136/04993/000	MP MD Moideen	01/2001 to 01/2014	4122	6835
13	10/136/04995/000	MP MD Moideen	2014/01	98	74
14	10/136/04998/000	MP MD Moideen	2014/01	52	39
15	10/136/04967/000	MP MD Moideen	01/2001 to 01/2014	4122	6835
16	10/136/04963/000	MP MD Moideen	Nil	0	0
17	10/136/04962/000	MP MD Moideen	02/2013 to 01/2014	282	222
18	10/136/04996/000	MP MD Moideen	02/2013 to 01/2014	282	219
Total				37382	65606
Total (Tax and Surcharge)					1,02,988

2. Learned counsel for the petitioner on instructions states that the petitioner will remit the arrears of water tax and surcharge as above.

3. The above statements are recorded.

4. The arrears of water tax and surcharge of Rs.1,02,988/- will be remitted within a period of two (2) weeks from today.

5. These Writ Petitions are disposed in the aforesaid terms. Connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

rkp

To

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

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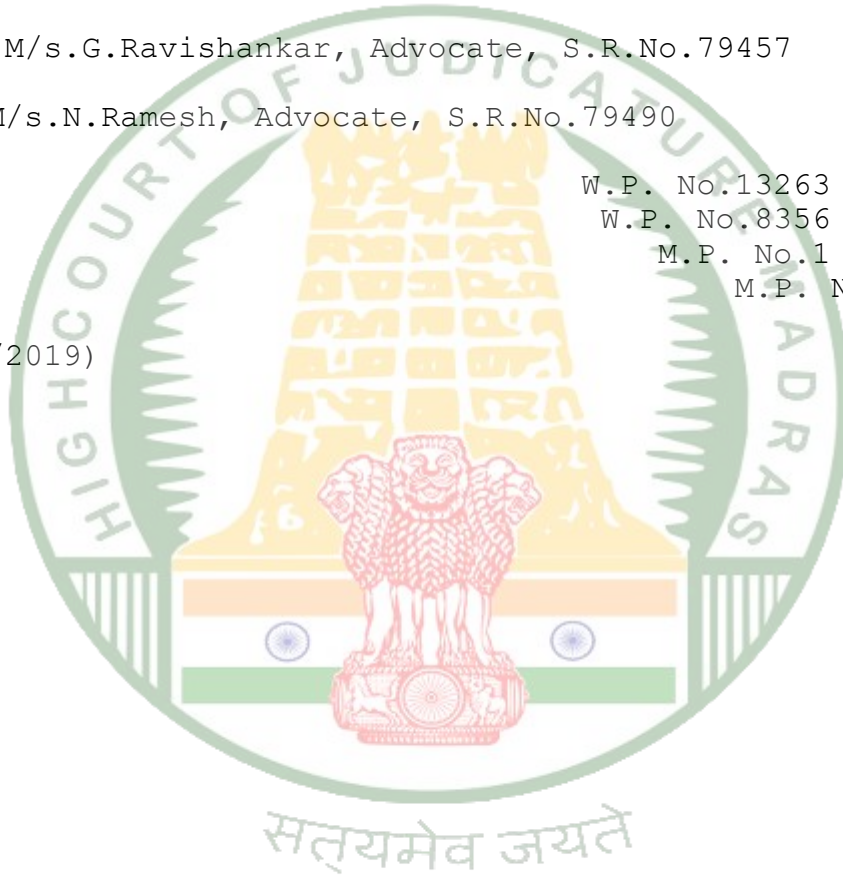
3. The Area Engineer, Area - X,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.9, Muthukrishnan Street,
T. Nagar, Chennai - 600 017.

+2 ccs to M/s.G.Ravishankar, Advocate, S.R.No.79457

+1 cc to M/s.N.Ramesh, Advocate, S.R.No.79490

W.P. No.13263 of 2009 and
W.P. No.8356 of 2015 and
M.P. No.1 of 2009 and
M.P. No.1 of 2015

PPA(CO)
SSM(17/09/2019)



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