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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11338 of 2004

Nolambur Residents Welfare Association  
(Regn. No.189 of 1996)

Represented by its Vice President,  
Mr.K.Damodaran,

92, 16<sup>th</sup> Cross Street,

Nolambur Neighbourhood Scheme Phase - I.

...Petitioner

.Vs.

1.The President,  
Nolambur Panchayat  
Nolambur,  
Chennai-600 037.

2.The Commissioner,  
Villivakkam Panchayat Union,  
Ambattur,  
Chennai-600 053.

3.D.A.B.C., (De-luxe Apartments and  
Buildings Co.,)  
946, 17<sup>th</sup> Main Road,  
Anna Nagar,  
Chennai-600 040.State of Tamil Nadu  
[R3 impleaded as per order of  
Court dated 08.12.2005]

4.The National Academy of Customs  
Excise and Narcotics (Nacen), Chennai,  
Rep. by its Officer-in-charge,  
2<sup>nd</sup> Main Road, Padi,  
Ambattur Industrial Estate,  
Chennai-58.



5.The Chennai Metropolitan Water Supply and  
Sewage Board (CMWSSB),  
Rep. By its Managing Director,  
No.1, Pumping Station Road,  
Chintadripet,  
Chennai-600 002

[R4 & R5 are suo motu impleaded as per  
order dated 05.12.2017]

... Respondents

Prayer: The writ petition filed under Article 226 of the  
Constitution of India, to issue a writ of Prohibition,  
prohibiting the respondents 1 and 2 from connecting the sewerage  
lines of Private builders to the sewerage lines of Tamil Nadu  
Housing Board, Nolambur Neighbourhood Scheme Phase-I.

For Petitioner : Mr.S.J.Jagadev

For Respondents: Mr.S.K.Rameshwar

#### O R D E R

This petition has been filed by the petitioner for issuance  
of a writ of prohibition, prohibiting the respondents 1 and 2  
from connecting the sewerage lines of Private builders to the  
sewerage lines of Tamil Nadu Housing Board, Nolambur  
Neighbourhood Scheme Phase-I.

2.The case of the petitioner is that the petitioner -  
Nolambur Residents' Welfare Association representing the owners  
who had purchased flats from the Tamil Nadu Housing Board  
exclusively provided for Nolambur Neighbourhood Scheme, Phase-I,  
in which, the local body, viz., the Nolambur Panchayat has not  
maintained the sewerage system properly and the sewerage of  
several houses in the colony are overflowing. Hence, the  
petitioner Association made a representation dated 09.06.20036  
to 1. the District Collector, Tiruvallur, 2. the President,  
Nolambur Panchayat, Nolambur and 3.the Commissioner, Villivakkam  
Panchayat Union, Ambattur, Chennai. However, no steps have been  
taken so far. Hence, the petitioner is before this court  
seeking appropriate relief.

3.The learned Standing Counsel appearing for the respondents  
would submit that at the time of filing of the writ  
petition, the area in dispute is under the control of Panchayat  
Union and now the entire area is under the control of Chennai  
Corporation.



4. In view of the above, the petitioner is directed to make a representation to the Chennai Corporation and if such a representation is made by the petitioner, the Chennai Corporation is directed to consider the same in accordance with law.

5. In the result, the writ petition is disposed of. No costs.

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Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The President,  
Nolambur Panchayat  
Nolambur, Chennai-600 037.

2. The Commissioner,  
Villivakkam Panchayat Union,  
Ambattur, Chennai-600 053.

3. D.A.B.C., (De-luxe Apartments and Buildings Co.,)  
946, 17<sup>th</sup> Main Road, Anna Nagar,  
Chennai-600 040.

4. The National Academy of Customs  
Excise and Narcotics (Nacen), Chennai,  
Rep. by its Officer-in-charge,  
2<sup>nd</sup> Main Road, Padi,  
Ambattur Industrial Estate, Chennai-58.

5. The Chennai Metropolitan Water Supply and  
Sewage Board (CMWSSB),  
Rep. By its Managing Director,  
No.1, Pumping Station Road,  
Chintadripet, Chennai-600 002

+1cc to the Standing Counsel for CMWSSB,  
High Court, Madras, vide, SR.No.56824

W.P.No.11338 of 2004

Kak (08/08/2019)