

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2020

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.23246 of 2008

Meenambal

...Petitioner

Vs.

- 1.The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai -3.
- 2.The Asst. Revenue Officer,
VIII Division, Corporation of Chennai,
N.S.K. Salai, Chennai - 24.
- 3.The Asst. Engineer,
C.M.W.S.S.B. Division 8,
Work Shop NO.114, No.1, Dr.Thomas Road,
Chennai.
- 4.The Asst. Engineer,
C.M.W.S.S.B
1 Pumping Station Road,
Chintadripet, Chennai - 12.
- 5.State of Tamil Nadu,
Rep. by Secretary,
Revenue Department, Fort St. George,
Chennai - 9.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents more particularly the third respondent, their subordinates from disconnecting the service connection in respect of petitioner premises No.538, Anna Salai, Chennai pursuant to notice dated 18.08.2008.

For Petitioner : Mr.Xavier Felix

For Respondents

R1 & R2 : M/s.Karthikaa Ashok
Standing Counsel

R3 & R4 : Mr.Janakiraman
R5 : M/s.A.Madhumathi,
Special Government Pleader

O R D E R

Heard Mr.Xavier Felix, learned counsel appearing for the petitioner, M/s.Karthikaa Ashok, learned Standing Counsel appearing for the respondents 1 and 2, Mr.Janakiraman, learned counsel appearing for the respondents 3 and 4 and M/s.A.Madhumathi, learned Special Government Pleader appearing for the 4th respondent.

2.The petitioner filed this writ petition praying for issuance of writ of Mandamus, forbearing the respondents more particularly the third respondent, their subordinates from disconnecting the service connection in respect of premises No.538, Anna Salai, Chennai pursuant to notice dated 18.08.2008.

3.As rightly pointed out by the learned Standing Counsel for the respondents 1 and 2, the writ petition has been filed on an apprehension that the petitioner's water and sewerage connection would be disconnected while disconnecting water and sewerage connection given to one N.S.Mani. The petitioner would state that the said connection in Service Connection No.538 has been clandestinely obtained by the said N.S.Mani, who is no more and the service connection is now no longer in use.

4.At the time, when the writ petition was admitted, an interim order was granted and till date, no counter affidavit has been filed.

5.Considering the fact that the respondent Board has not issued any notice to the petitioner as to how they are entitled to interfere with the service connection of the petitioner, there will be a direction to the respondent Board that without putting the petitioner on notice, no action shall be initiated.

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

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

cse

To

- 1.The Commissioner,
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Rippon Buildings, Chennai -3.
- 2.The Asst. Revenue Officer,
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- 4.The Asst. Engineer,
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1 Pumping Station Road,
Chintadripet, Chennai - 12.
- 5.The Secretary,
Revenue Department, Fort St. George,
Chennai - 9.

+1cc to M/s.Karthikaa Ashok, Advocate, S.R.No.22735

+1cc to the Government Pleader, S.R.No.23193

W.P.No.23246 of 2008

BS(CO)
RSI (22/05/2020)

सत्यमेव जयते

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