

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.13727 & 13728 of 2013
and MP.Nos.1 and 2 of 2013

WP.No.13727 of 2013

1.P.Prabakaran
2.P.Sekaran
3.V.Rajendren
4.P.Sumathi
5.K.Jayakanth
6.A.Bhuvaneswari

....Petitioners

Vs

1.Chennai Metropolitan Water Supply &
Sewerage Board,
rep.by its Managing Director
No.1, Pumping Station Road,
Chennai - 2.
2.The Executive Engineer,
Chennai Metropolitan Water Supply &
Sewerage Board,
Adayar, Chennai - 600 020.
3.The Area Engineer,
Chennai Metropolitan Water Supply &
Sewerage Board,
Thoraipakkam, Chennai - 600 096.

4.The Chennai Metropolitan
Development Authority,
rep.by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

...Respondents

W.P.No.13728 of 2013

1.P.Prabakaran
2.P.Sekaran
3.V.Rajendren

4.P.Sumathi
5.K.Jayakanth
6.A.Bhuvaneswari

... Petitioners

Vs

1.The Tamil Nadu Generation and Distribution Corporation Limited,
rep.by its Superintending Engineer,
Chennai Electricity Distribution Circle/South,
Valluvarkottam, Chennai - 600 034.

2.The Executive Engineer,
O & M, Tamil Nadu Generation and Distribution Corporation Limited, I.T.Corridor,
Adayar, Chennai - 600 020.

3.The Assistant Engineer,
O & M, Tamil Nadu Generation and Distribution Corporation Limited,
Thoraipakkam, Chennai - 600 097.

4.The Chennai Metropolitan
Development Authority,
rep.by its Member Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.

...Respondents

Prayer in WP.No.13727 of 2013: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus to direct the respondents to grant water and sewerage connection to the petitioners' flats situated at Anandnagar 4th Street, Thoraipakkam, Chennai and comprised in Old S.No.227/1 and 228/1, bearing Sub Division Plot Nos. 2A and 3A, without insisting completion certificate from the fourth respondent.

Prayer in WP.No.13728 of 2013: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus to direct the respondents to grant electricity connection to the petitioners' flats situated at Anandnagar 4th street, Thoraipakkam, Chennai and comprised in Old S.No.227/1 and 228/1, bearing Sub Division Plot Nos. 2A and 3A, without insisting completion certificate from the fourth respondent.

For Petitioners
(in both W.Ps)

: M/s.Achari and Antoni

For Respondents
(in WP.13727/13)

: Mr.I.David Singh for
R1 to R3

For Respondents
(in WP.13728/2013)
For R4 in Both WPs

: Mr.P.Gunaraj for
R1 to R3
: No Appearance

COMON ORDER

Today, there is no representation on behalf of the petitioner in both the petitions. Writ petitions stand for final hearing and the order has been passed.

2. The writ petition in W.P. No.13727 of 2013 has been filed by the petitioner to grant water and sewerage connection to the petitioners' flats situated at Anandnagar 4th Street, Thoraipakkam, Chennai and comprised in Old S.No.227/1 and 228/1, bearing Sub Division Plot Nos. 2A and 3A, without insisting completion certificate from the fourth respondent.

3. The writ petition in W.P. No.13728 of 2013 has been filed by the petitioner to grant electricity connection to the petitioners' flats situated at Anandnagar 4th street, Thoraipakkam, Chennai and comprised in Old S.No.227/1 and 228/1, bearing Sub Division Plot Nos. 2A and 3A, without insisting completion certificate from the fourth respondent.

4. In WP.No.13727 of 2013, the 3rd respondent namely, The Area Engineer, Chennai Metropolitan Water Supply & Sewerage Board, Thoraipakkam, Chennai, in his counter has stated that the respondents never received any application from the petitioner, nor insisted for completion certificate. As a matter of fact, if the petitioner had applied for their flats referred to above, the respondents would not have insisted for completion certificate, for the simple reason, that their buildings consists of stilt plus 2 floors and for giving water and sewerage connections to that building completion certificate is not at all required". It has been further stated that in the counter that, if the petitioner approach the respondent, after completion of the work of laying of water and sewer mains, their application will be examined and connection given, without insisting for completion certificate, if their residential apartments remain to be of the stilt plus 2 floors and not exceeding that.

5. There is a factual finding, by the respondent that the petitioner building consists of stilt plus 2 floors and for giving water and sewerage connections to that building, Completion Certificate is not required at all. The same condition applies to the electricity connection also i.e., W.P.No.13728 of 2013.

6. In these circumstances, these writ petitions filed by the petitioner stands allowed. No costs, consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS.III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Managing Director
Chennai Metropolitan Water Supply &
Sewerage Board, No.1, Pumping Station Road,
Chennai - 2.
- 2.The Executive Engineer,
Chennai Metropolitan Water Supply &
Sewerage Board, Adayar, Chennai - 600 020.
- 3.The Area Engineer,
Chennai Metropolitan Water Supply &
Sewerage Board, Thoraipakkam, Chennai - 600 096.
- 4.The Member Secretary,
The Chennai Metropolitan
Development Authority,
No.1, Gandhi Irwin Road,
Egmore, Chennai - 600 008.
- 5.The Superintending Engineer,
The Tamil Nadu Generation and Distribution
Corporation Limited,
Chennai Electricity Distribution Circle/South,
Valluvarkottam, Chennai - 600 034.
- 6.The Assistant Engineer,
O & M, Tamil Nadu Generation and Distribution
Corporation Limited, Thoraipakkam, Chennai - 600 097.
- 7.The Executive Engineer,
Chennai Metropolitan Water Supply &
Sewerage Board, Adayar, Chennai - 600 020.

+1cc to Mr.I.David Singh, Advocate SR.NO..10541

AKM/17.03.21/ 4P- 9C/

W.P.No.13727 & 13728 of 2013
and MP.Nos.1 and 2 of 2013
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