



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

WP NO.15763 OF 2016

Tmt.E.Radha

.. Petitioner

Vs.

- 1 The Chennai Metropolitan
Water Supply and Sewerage Board,
Rep by its Managing Director,
NO.1, Pumping Station Road,
Chintadiripet, Chennai.
- 2 The Assistant Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Division No.118, Teynampet,
Chennai.

.. Respondents

PRAYER:

This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, To direct the respondents 1 and 2 herein to complete the formality of shifting the metro water tank from the entrance of the Old No.8 New No.15 Poes road 4th street to the new place within a stipulated period based on the representations dated 20.01.2016 and 12.2.2016.

For Petitioner : Mr.R.Srinivasalu

For Respondents : Mr.C.Vigneswaran

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 and 2 herein to complete the formality of shifting the metro water tank from the entrance of the Old No.8, New No.15, Poes Road, 4th Street, to the new place within a stipulated period based on the representations dated 20.01.2016 and 12.2.2016.



2. The grievances of the writ petitioner is that her daughter Gomathi Ethiraj is a Non-Resident Indian and she had purchased the property bearing Old No.8, New No.15, Poes Road, 4th Street, Teynampet, Chennai-18. The daughter of the petitioner obtained sanction plan after demolishing the old house started construction and almost completed the construction in all aspects. When she was in India on 20.01.2016, she has given a letter to the 2nd respondent to shift the metro water tank situated in front of the entrance of the building to some other place in the street, that is the public syntex water tank which prevent free access to premises purchased by the daughter of the petitioner. Thereafter, the daughter of the petitioner left India. Thus, the petitioner is now taking care of the affairs on behalf of her daughter.

3. The petitioner approached the 1st respondent setting out the facts in detail and produced the photographs. The 1st respondent directed the 2nd respondent viz., The Assistant Engineer, Chennai Metropolitan Water Supply and Sewerage Board, Chennai to inspect the site and to shift the water tank situated in front of the house.

4. The writ petition was filed in the year 2016. Five years have lapsed. It is not made clear before this Court whether the metro water tank has already been shifted or not. If no actions are taken till date, the respondents are directed to conduct an inspection and initiate appropriate action by following the procedures as contemplated under the law.

5. With these directions, the writ petition stands disposed of. No Costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

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



2

The Assistant Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board,
Division No.118, Teynampet,
Chennai.

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BS (CO)
PM/20/10/2021