



W.P.(MD).No.3837 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.3837 of 2013 and
M.P.(MD)No.1 of 2013

Jeyarajan

... Petitioner

Vs.

1.The Commissioner,
Chinnamannur Municipality,
Chinnamannur,
Theni District.

2.Manoj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records relating with the order in Na.Ka.No.1080/2013/E2, dated 28.02.2013, made by the 1st respondent and to quash the same as it is arbitrary and illegal and also to forbear him from disconnecting the water connection to the building bearing door no.10, Gandhi Nagar Colony, 6th Street, Chinnamannur Town, Theni.

For Petitioner

: Mr.R.Surianarayanan

For R1

: Mr.D.Sasikumar

Additional Government Pleader



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ORDER

WEB COPY

The present writ petition has been filed challenging the order passed by the first respondent herein directing disconnection of water supply to the premises to which the petitioner is residing as tenant of the second respondent.

2.Out of landlord and tenant dispute, the second respondent has addressed the communication to the first respondent to disconnect the water supply connection to his premises in which the petitioner is residing as a tenant. Accepting the request of the second respondent, the first respondent has passed the impugned order directing disconnection of water supply. The first respondent has no jurisdiction whatsoever to interfere in the landlord tenant dispute and disconnect the water supply. In fact, the landlord is prohibited from disconnecting the amenities granted to the tenant. The issue has to be resolved only before the Rent Control Court.

3.The order passed by the first respondent herein is without



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jurisdiction. So, the impugned order is set aside and the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

28.07.2022

Index : Yes / No
Internet : Yes / No

Tmg

To

The Commissioner,
Chinnamannur Municipality,
Chinnamannur,
Theni District.



WEB COPY



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R.VIJAYAKUMAR ,J.

Tmg

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

Order made in
W.P.(MD).No.3837 of 2013

28.07.2022