



**W.M.P.No.4956 of 2023 in
W.P.No.22401 of 2022**

ABDUL QUDDHOSE, J.

In the main writ petition, the petitioner has challenged the order of the second respondent rejecting the petitioner's appeal and fixing the half yearly property tax for the petitioner's bank building at the rate of Rs.75,160/- i.e., more than 100 times from 01.04.2001.

2. During the pendency of the main writ petition, the petitioner has now filed this writ miscellaneous petition seeking for restoration of water supply to the petitioner's bank and to rectify the damages caused to the sewage pipelines by the officials of the second respondent at the building of the petitioner bank at New Door No.102, North Car Street, Chidambaram, Cuddalore District.

3. Learned Additional Government Pleader appearing for the respondents has placed before this Court the written instructions received from the Commissioner, Chidambaram Municipality which reads as follows:

"Solid Waste Management Fee (SUC) and water tax
for Chidambaram Co-operative City Bank Building is



outstanding from July 2017 and from the year 2007 (Solid Waste Management Fee No.092/008/900121, Rs.13800/- and for water tax No.092/3657, Rs.10,800/-) to the municipality.

* Already demand notices had issued to them to pay the pending charges and also explained about the by-laws of the municipality to collect these service charges, even though they have to filed a case against this municipality before the Madras High Court (Case No.W.P.No.22401/2022).

* We specifically insisted that the above amount is not related to property tax, as it is a fee for solid waste and water supply.

* Although notices have been sent several times requesting payment of the said amount, it has been informed several times by the officials of the municipality. Since petitioner hasn't pay the SUC and water tax, the facilities have been disconnected as per laws.

* Regarding UGD connection, the referred building has connected with old UGD link. Also, instructed them to convert into new UGD connected with submitting the proper application to the authorities, since the all the old UGD connections in the town been converted into New UGD outlet. But, repeated reminders, they haven't given any application to the concerned.



* If they pay the all charges, (other than the property tax, since it is before the court) we will restore all the services to them as per act and rules."

4. For the time being, the petitioner is seeking for restoration of water connection in this writ miscellaneous petition. As seen from the written instructions received by the learned Additional Government Pleader from the Commissioner, Chidambaram Municipality as extracted supra, the second respondent claims that a sum of Rs.13,800/- is due and payable by the petitioner towards Solid Waste Management fee and another sum of Rs.10,800/- is due and payable by the petitioner towards arrears of water tax.

5. Learned counsel for the petitioner on instructions would submit that without prejudice to the rights and contentions **of the petitioner** in the main writ petition in order to get the water connection restored, the petitioner is willing to pay the aforesaid sums namely Rs.13,800/- towards Solid Waste Management and Rs.10,800/- towards arrears of water tax.



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6. Insofar as the other relief namely seeking for rectification of the damages caused to the sewage pipelines by the officials of the second respondent at the building of the petitioner bank is concerned, learned counsel for the petitioner would submit that the petitioner would be satisfied if the same is considered during the final disposal of the main writ petition.

7. No prejudice would be caused to the respondents, if an interim direction is issued to the respondents directing them to restore the water supply to the petitioner's bank building on condition that the petitioner deposits a sum of Rs.13,800/- towards Solid Waste Management and another sum of Rs.10,800/- towards arrears of water tax with the respondents, which the respondents claim that the petitioner is due and payable, within a time frame to be fixed by this court.

8. After recording the rival submissions, without prejudice to the rights and contentions of either of the parties, this writ miscellaneous petition is **disposed of** by directing the petitioner to pay the respondents a sum of Rs.13,800/- towards Solid Waste Management Fee and Rs.10,800/- towards arrears of water tax within a period of one week from the date of



receipt of a copy of this order. On receipt of the aforesaid sums within the stipulated time, the second respondent shall restore the water connection of the petitioner bank building at New Door No.102, North Car Street, Chidambaram, Cuddalore District, within a period of three days thereafter.

9. Post the main writ petition on 09.03.2023.

21.02.2023

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Note: Issue order copy **on 22.02.2023.**



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