



W.P.No.17542 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17542 of 2023

M.D.Lokeswari

... Petitioner

.Vs.

1.Assistant Engineer
Tamil Nadu Water & Sewerage Board
Zone X, T.Nagar
Chennai 600 017.

2.G.Sathyanaraynan Bothra

3.S.Srilata Bhotra

4.S.Vishal Bothra

5.S.Kunal Bothra

6.Smoke Hub Barbeque-T.Nagar
GPS Food Factory
Rep.by its Managing Director Varun Shankar
4th Floor, Door Nos.5 & 6, Prakasam Road
T.Nagar, Chennai 600 017.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's representation dated 21.04.2023 and consequently direct the 1st respondent to disconnect the illegal water and sewerage connection of IV floor and V floor at Door No.5 and 6 Indira Arcade Prakasam Road T.Nagar Chennai-600 017 unauthorized constructed by respondents 2 to 5 and let out to 6th respondent.



W.P.No.17542 of 2023

WEB COPY

For Petitioner

Mr.A.B.Fathima Sulthana

For Respondents

Mrs.Mekhala
Standing Counsel
for R1

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the 1st respondent to consider the representation made by the petitioner on 21.4.2023 and to disconnect the illegal water and sewerage connection that has been given to IV and V floor at the subject property unauthorizedly constructed by respondents 2 to 5 who have let out this property to the 6th respondent, who is running a Hotel.

2.When the matter came up for admission on 14.06.2023, this Court passed the following order:

The learned counsel for the petitioner submitted that a separate writ petition has been filed against the unauthorized construction put up by the private respondent and the same is listed before the Division Bench. This Court wants to await the order passed by the Division Bench before passing any order in this writ petition.

Post this case under the caption "adjourned admission" on 21.06.2023.

3.When the matter was taken up for hearing today, the learned counsel for the petitioner submitted that WP.No.17682 of 2023, was filed for taking action against the unauthorized construction put up by respondents 2 to 5 and the said writ petition was



W.P.No.17542 of 2023

disposed of by the Division Bench by order dated 15.06.2023, by directing the authorities to consider the complaint and to take appropriate action.

4. In view of the above order, it will suffice if a direction is issued to the 1st respondent to consider the representation made by the petitioner on 21.4.2023 and verify if the water and sewerage connection has been extended to unauthorized construction by respondents 2 to 5. The 1st respondent shall also co-ordinate with CMDA who have already been directed to verify if any unauthorized construction have been put up by respondents 2 to 5. If ultimately, the construction is unauthorized, the water and sewerage connection to those construction will also be unauthorized. Accordingly, consummate decision has to be taken as against the illegal construction as well as the illegal water and sewerage connection to those illegal constructions. The 1st respondent shall act expeditiously since it is brought to the notice of this Court that the entire sewerage has been blocked and there is overflow of sewerage water causing hardship to the other tenants in the property.

This writ petition is disposed of in the above terms. No costs.

21.06.2023

KP
Internet : Yes/No
Index : Yes/No
Neutral Citation : Yes/No

N.ANAND VENKATESH, J.



WEB COPY



W.P.No.17542 of 2023

KP

To

Assistant Engineer
Tamil Nadu Water & Sewerage Board
Zone X, T.Nagar
Chennai 600 017.

W.P.No.17542 of 2023

21.06.2023