



W.P.No.27204 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2023

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.27204 of 2023

and

W.M.P.No.26632 of 2023

S.Balasubramani

... Petitioner

Vs

1.The Chairman cum Managing Director,
Chennai Metro Water Supply and
Sewerage Board (CMWSSB),
No.1 Pumpind Station Road,
Chintadripet,
Chennai – 600 002.

2.The Senior Accounts Officer – 5,
Chennai Metro Water Supply and Sewerage Road,
No.1, M C Road,
Anna Poonga,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for a Writ of Certiorarified Mandamus, to call for the records leading to Impugned Demand towards arrears of Water Charges, as downloaded from the website of the 2nd respondent at www.bnc.chennaietrowater.in, in respect of the petitioner's CMC



W.P.No.27204 of 2023

bearing Number 05/054/00342/000 along with letter No.CMWSSB/Part5/Area054/2023 was amounting to Rs.67,659/- as on 09.08.2023 raised by the respondents and quash the same and consequently to direct the 2nd respondent to revise the Demand for payment of Water Charges of the petitioner in accordance with law.

For Petitioner : Mr.R.Arunkumar

For Respondents : Mrs.V.Vijayalakshmi
Standing Counsel

ORDER

Mrs.V.Vijayalakshmi, learned Standing Counsel takes notice on behalf of the respondents.

2.The petitioner has challenged the impugned demand notice seeking to demand a sum of Rs.67,659/- towards water charges for the period between February 2023 to July 2023. The petitioner has also paid the water tax. The petitioner has questioned the water charges demanded for the month of March at Rs.42,908/- which according to the petitioner is unjustified. It is the case of the petitioner, the property which was earlier let out for commercial purpose is not in use. It is therefore submitted that the demand for aforesaid amount is arbitrary.



W.P.No.27204 of 2023

WEB COPY

3.The learned Standing Counsel for the respondents on the other hand would submit that the petitioner is in arrears of water consumption charges for the period starting from February 2023 to July 2023. It is submitted that a water metre has been fixed and the amount that has been demanded is based on the reading in the meter. Hence, the petitioner is required to pay the amount as demanded. The amount that has been demanded for the period during April, May, June and July 2023. It is submitted that more or less, similar amount was demanded for the period prior to March 2023 and was paid by the petitioner.

4.Therefore, it is submitted that the petitioner has to pay the amount as demanded for the aforesaid period without any delay. The amount demanded for the month of March 2023. Prima facie, appears to be high as compared to the past. There is no explanation for demanding the aforesaid amount of Rs.42,908/- for the month of March 2023.

5.Considering the above, Court is inclined to dispose this writ petition by directing the petitioner to give a fresh representation after paying 1/4th of the amount demanded within a period of 30 days from the



W.P.No.27204 of 2023

date of receipt of a copy of this order. On such deposit, the petitioner's representation shall be considered and disposed of on merits. In case, the petitioner fails to pay the aforesaid amount, the respondents are at liberty to proceed against the petitioner to recover the amount as demanded in the impugned order.

6.This writ petition stands disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

15.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
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W.P.No.27204 of 2023

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C.SARAVANAN, J.

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