



WEB COPY



W.P.Nos.26778, 26779, 26781 and 26786 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.26778, 26779, 26781, 26786 of 2023

and

W.M.P.Nos.26211, 26212, 26213, 26219 of 2023

W.P.No.26778 of 2023

P.Selvamahesh Raja

... Petitioner

Vs.

1.The Chennai Metropolitan Water Supply & Sewerage Board,
Represented by its Chairman and Managing Director,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.

2.The Depot Engineer,
Zone-V, Division 56,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

3.The Senior Accounts Officer,
Zone-V, Division 56,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.



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4.The Special Tahsildar (RR), Zone -V,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorari, to call for the records relating to the impugned notice issued by the second respondent dated 17.08.2023 and the notice dated 09.08.2023 issued by the third respondent bearing No.2565 and the notice dated 25.08.2023 issued by the fourth respondent in respect of CMC No.05/056/01872/000 relating to property situated at No.33/1, Ramasamy Street, George Town, Chennai – 600 001 and quash the same.

W.P.No.26779 of 2023

P.Selvaganesh Raja (A) P.Ganesh

... Petitioner

Vs.

1.The Chennai Metropolitan Water Supply & Sewerage Board,
Represented by its Chairman and Managing Director,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.

2.The Depot Engineer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.



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3. The Senior Accounts Officer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

4. The Special Tahsildar (RR), Zone -V,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorari to call for the records relating to the impugned notice dated 09.08.2023 issued by the third respondent bearing No.5060 and the notice issued by the fourth respondent dated 25.08.2023 in respect of CMC No.05/058/01508/000 relating to property situated at No.1124, EVR Salai, Park Town, Chennai – 600 003 and quash the same.

W.P.No.26781 of 2023

P.Selvaganesh Raja (A) P.Ganesh

... Petitioner

Vs.

1. The Chennai Metropolitan Water Supply & Sewerage Board,
Represented by its Chairman and Managing Director,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.



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2.The Depot Engineer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

3.The Senior Accounts Officer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

4.The Special Tahsildar (RR), Zone -V,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorari, to call for the records relating to the impugned notice dated 09.08.2023 issued by the third respondent bearing No.5061 and the notice issued by the fourth respondent dated 25.08.2023 in respect of CMC No.05/058/01530/000 relating to property situated at No.1125, EVR Salai, Park Town, Chennai – 600 003 and quash the same.

W.P.No.26786 of 2023

P.Selvaganeshwara Raja

... Petitioner

Vs.



W.P.Nos.26778, 26779, 26781 and 26786 of 2023

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1. The Chennai Metropolitan Water Supply & Sewerage Board,
Represented by its Chairman and Managing Director,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.
2. The Depot Engineer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.
3. The Senior Accounts Officer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of certiorari, to call for the records relating to the impugned notice issued by the second respondent dated 12.08.2023 and the notice dated 01.06.2023 issued by the third respondent in respect of CMC No.05/057/06654/000 relating to property situated at No. 5, Thatha Muthiappan Street, Kothavalchavadi, Chennai – 600 001 and quash the same.

For Petitioners : Mr.A.R.Karthik Lakshmanan
(In all W.Ps)

For Respondents : Mrs.V.Vijayalakshmi
(In all W.Ps) Standing Counsel



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COMMON ORDER

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2. Today, a separate order has been passed by this Court in W.P.No.26766 of 2023. Almost identical issues arises for consideration in these writ petitions also.

3. In these writ petitions, the petitioners have challenged the demand of arrears of water charges for the period starting from December 2018 upto May 2023.

4. After the impugned orders were passed, the petitioners have given their representations on 04.07.2023 and 19.07.2023.

5. Considering the above and in view of the order passed in W.P.No.26766 of 2023, these Writ Petitions are disposed by directing the respondents to pass appropriate orders on the petitioners representations dated 04.07.2023 and 19.07.2023 subject to the petitioners depositing 1/4th of the water charges.



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6. In case the petitioners fails to deposit the aforesaid amount, this order shall stand automatically vacated, in which case, the respondents are at liberty to proceed against the petitioners in accordance with the impugned Demand Notice.

7. It is made clear that the amount to be paid pursuant to the order of this Court shall be treated as a amount paid under protest and shall be either refunded or adjusted or appropriated subject to final outcome of the present writ petitions.

8. These Writ Petitions are disposed of with the above observations. No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

13.09.2023
(2/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No

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- 1.The Chairman and Managing Director,
Chennai Metropolitan Water Supply & Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.
- 2.The Depot Engineer,
Zone-V, Division 56,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.
- 3.The Senior Accounts Officer,
Zone-V, Division 56,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.
- 4.The Depot Engineer,
Zone-V, Division 58,
The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.
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The Chennai Metropolitan Water Supply & Sewerage Board,
No.1, M.C.Salai, Anna Poonga,
Chennai – 600 021.



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C.SARAVANAN, J.

nsi/arb

W.P.Nos.26778, 26779, 26781, 26786 of 2023
and
W.M.P.Nos.26211, 26212, 26213, 26219 of 2023

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