



W.P.Nos.26854 and 26861 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.Nos.26854 and 26861 of 2023

and

W.M.P.Nos.26267 and 26274 of 2023

1.P.Selvamahesh Raja

... Petitioner

in W.P.No.26854 of 2023

2.S.C.Pandian

... Petitioner

in W.P.No.26861 of 2023

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 in both W.Ps

Prayer in W.P.No.26854 of 2023: 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 21.07.2023 bearing no.1443 and the notice dated 09.08.2023 issued by the third respondent bearing no.5056 and the notice dated 25.08.2023 issued by the fourth respondent in respect of CMC No.05/058/01503/000 relating to property situated at No.1114, EVR Salai, Park Town, Chennai – 600 003 and quash the same.

Prayer in W.P.No.26861 of 2023: 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 third respondent dated 01.06.2023 and notice dated 09.08.2023 bearing no.5437 and the notice



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dated 21.07.2023 issued by the second respondent bearing No.1448 and the notice dated 25.08.2023 issued by the fourth respondent in respect of CMC No.05/058/04199/000 relating to property situated at No.1099/1100, Periyar EVR Salai, Periyamet, Chennai – 600 003 and quash the same.

For Petitioner : Mr.A.R.Karthik Lakshmanan
(In both W.Ps)

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

COMMON ORDER

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

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.



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4. After the impugned orders were passed, the petitioners have given their representations on 08.06.2023, 04.07.2023 and 09.07.2023.

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 08.06.2023, 04.07.2023 and 09.07.2023 subject to the petitioners depositing 1/4th of the water charges.

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.



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No costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

13.09.2023

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

nsI/arb

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