



W.P. No. 29333 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 29333 of 2023

T.Wilson Thomas

... Petitioner

-VS-

1. The Chairman
Chennai Metropolitan Water Supply & Sewerage Board
No.1, Pumping Station Road
Chintadripet, Chennai – 600 031.
2. The Assistant Engineer
Zone-7, 11th Block
J.J.Nagar, Mogappair East
Chennai – 600 037.
3. The Accounts Officer
Chennai Metropolitan Water and Supply & Sewerage Board
Division VII, T.S.Krishna Nagar
Mogappair East
Chennai – 600 037.
4. M/s.SRK Restaurants Pvt. Ltd
Rep. By its Managing Director
S.Vanitha Kumari
Nos. 1/6 & 1/7, Bazzar Road
Mogappair East
Chennai – 600 037.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents herein to consider the petitioner's representation dated 30.08.2023,



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followed by the reminder representation dated 20.09.2023, for temporarily disconnecting the Metro Water and Sewerage connection in C.M.C. No. 07/093/012261, in respect of the property situated at Plot Nos. 1/6 and 1/7, Bazaar Road, Mogappair East, Chennai – 600 037.

For Petitioner : Mr. R.Srinivasalu

For Respondents : Mrs. K.Vasanthala Mala (RR1 to 3)

ORDER

Heard Mr. R.Srinivasalu, Learned Counsel for the Petitioner and Mrs. K.Vasanthala Mala, Learned Counsel, who takes notice for the First to Third Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Fourth Respondent, notice to it is dispensed with.

3. The Petitioner is the owner of the property situated at Plot Nos. 1/6 and 1/7, Bazaar Road, Mogappair East, Chennai – 600037, in which one S.Vanitha Kumari is the tenant. Since the said tenant failed to pay charges towards water



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supply and sewerage connection for the said property, the Petitioner has filed this Writ Petition seeking a direction to the Respondents to temporarily disconnect water supply and sewerage connection to that property.

4. Learned Government Advocate appearing for the First to Third Respondents has brought to notice that the said S.Vanitha Kumari had earlier filed the Writ Petition in W.P. No. 27225 of 2023 before this Court in which a direction has been issued to dispose the representation dated 07.09.2023 made by her subject to depositing 1/10th of the amount demanded within a period of four weeks from the date of passing of that order.

5. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to raise all objections before the concerned authority while disposing the said representation dated 07.09.2023 made by the said S.Vanitha Kumari and he has made an endorsement to that effect in the court record. It is made clear that the Petitioner shall also be entitled to make his representation in writing and afforded opportunity of personal hearing while disposing the said representation dated 07.09.2023 made by the said S.Vanitha Kumari. It is needless to add here that it shall be incumbent upon the concerned authorities to



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deal with each of the contentions raised by the said S.Vanitha Kumari and the
Petitioner and pass reasoned orders on merits in accordance with law and
communicate the decision taken under written acknowledgment.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid
clarifications. No costs.

11.10.2023

Maya

NCS : Yes/No

Index: Yes/No

Note: Issue order copy by 31.10.2023.

To

1. The Chairman
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No.1, Pumping Station Road
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WEB COPY



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P.D. AUDIKESAVALU, J.

Maya

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