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W.P.No.36467 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.36467 of 2016

G.Vasanthara Gunalan

... Petitioner

Vs.

- 1.The Managing Director,  
Chennai Metropolitan Water Supply and Sewerage Board,  
No.1, Pumping Station Road, Chintadripet,  
Chennai-2
- 2.The Area Engineer-IX,  
Chennai Metropolitan Water Supply and Sewerage Board,  
No.1, Dr. Ranga Road, Abiramapuram, Chennai-18
- 3.The Assistant Commissioner,  
Corporation of Chennai,  
Zone-IX, Valluvarkottam, Nungambakkam,  
Chennai – 34
- 4.R.Sadhakathullah
- 5.The Assistant Engineer,  
Corporation of Chennai,  
Zone-IX, K.B.Dasan Road, Teynampet,  
Chennai-18

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the third respondent to give necessary permission to dig 3 inch breadth at the edge of road, which is situated adjoining the petitioner's compound wall at No.7, Door No.2, 3<sup>rd</sup>



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Main Road, Seethammal Colony, Alwarpet, Chennai-18.

For Petitioner : No appearance

For Respondents

For R1 & 2 : Mrs.V.Vasanthamala,  
Standing Counsel

For R4 : Mr.A.Abdul Kader

For R3 & 5 : Mr.G.T.Subramanian,  
Standing Counsel

### **ORDER**

This writ petition has been filed for direction to the third respondent to give necessary permission to dig 3 inch breadth at the edge of road, which is situated adjoining the petitioner's compound wall at No.7, Door No.2, 3<sup>rd</sup> Main Road, Seethammal Colony, Alwarpet, Chennai.

2. On perusal of the counter filed by respondents 1 & 2 and on hearing the submissions of the learned Standing Counsel appearing for respondents 1 & 2, revealed that the earlier writ petition filed in WP.No.11417 of 2015 seeking service connection to the petitioner's flat was dismissed by this Court by an order dated 29.03.2016 with liberty.



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Utilising the said circumstances, the petitioner attempted to put a 'T' type pipe connection with the existing water service connection. Since no permission was granted by the third respondent and the said process was stopped. Now without having any proper permission to cut the road from the third respondent, the respondents cannot accord permission to give individual connection. Therefore, the road cannot be cut without the permission of the third and fifth respondents herein. That apart, without separate connection, the said permission cannot be accorded to the petitioner. As such, this Court finds no merits in this writ petition.

3. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

05.09.2024

Neutral citation: Yes/No  
Index: Yes/No  
Speaking/Non-speaking order  
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**G.K.ILANTHIRAIYAN, J.**

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To

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Chennai Metropolitan Water Supply and Sewerage Board,  
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Chennai-2
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