



W.P.No.7657 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 06.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.7657 of 2025

and

W.M.P.Nos. 8589 & 8591 of 2025

DHANVANTRA HEALTHCARE PRIVATE LIMITED,
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
R. VIJAYARAJ,
HAVING OFFICE AT
33/20, DR. RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI 600 004.

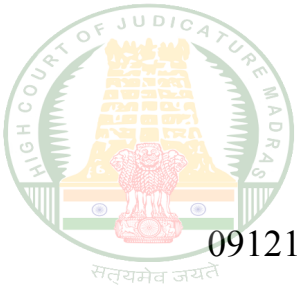
... Petitioner

Vs

1. CHENNAI METROPOLITAN WATER SUPPLY
AND SEWERAGE BOARD,
REPRESENTED BY ITS MANAGING DIRECTOR,
75, SANTHOME HIGH ROAD, SANTHOME,
CHENNAI - 600 028.
2. SPECIAL TAHSILDAR,
CHENNAI METROPOLITAN WATER SUPPLY
AND SEWERAGE BOARD,
NO.1, DR.RANGA ROAD,
ABHIRAMAPURAM,
CHENNAI - 600 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, calling for the records of the second respondent in its notices dated 24.02.2025 issued with respect to new CMC Nos.



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09121001219 and 09121001052, quash the same.

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For Petitioner : Mr.Abishek Jenasenan
For R1 & R2 : Ms.V.Vijayalakshmi (CMWSSB)

ORDER

This writ petition is filed challenging the impugned order of the second respondent dated 24.02.2025 issued with respect to new CMC Nos. 09121001219 and 09121001052 and to quash the same.

2. Heard, *Mr.Abishek Jenasenan*, the learned counsel appearing on behalf of the petitioner and *Ms.V.Vijayalakshmi*, the learned counsel appearing on behalf of the respondents.

3. The learned counsel appearing on behalf of the petitioner would submit that the petitioner is the subsequent purchaser of the property by way of public auction. When the revised assessment was made, no notice whatsoever was given to the petitioner. Only after, the assessment was made, the impugned order was simply pasted on the premises of the petitioner. Now,



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within seven days, the petitioner is directed to pay the entire arrears amounting to a sum of Rs.1,90,50,344/-. The learned counsel appearing for the petitioner submits that even the Corporation, in respect of the property tax, resorted to the same exercise. When they approached this Court by way of W.P.No.13399 of 2022, this Court passed an order on 22.09.2023 directing the petitioner to pay upfront a portion of the amount and directing the authorities to provide a break-up and calculation as well as to hear the objections of the petitioner. The same exercise can be resorted to with respect to the respondents board as well.

4. Per contra, the learned counsel appearing on behalf of the respondents Board submits that the details are available on the website itself. The claim not only relates to the revised charges but also includes arrears under the existing old assessment. As a matter of fact, subsequent to the order of this Court in W.P. No. 13399 of 2022, the Corporation provided the breakups and the petitioner has also cleared the entire property tax. The water supply and sewerage charges is only a fixed percentage of the property tax that is payable. Therefore, the petitioner can have no grievance at all.



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5. In reply thereof, the learned counsel appearing on behalf of the petitioner would submit that the claim includes the interest and surcharge also.

6. I have considered the rival submission made on either side and perused the material records of the case.

7. When the petitioner earlier approached this Court in W.P.No. 13399 of 2022 with reference to the property tax, which forms the basis of the present claim, this Court passed the following orders. The operative portions in paragraph Nos. 7, 8, and 9 are extracted hereunder:-

“7.It was incumbent on the part of the petitioner to have verified the same and obtained a due diligence report before purchasing the property. The Court is however inclined to grant a partial relief to the petitioner at this stage by allowing the petitioner to file a representation with all its queries to the respondents within a period of 30 days from the date of receipt of a copy of this order together with a deposit sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only), within a period of 90 days from the date of receipt of a copy of this order. The respondents shall thereafter proceed to dispose of the



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representation within a period of 30 days thereafter by giving the particulars of the arrears of Property Tax that was due from M/s.Ferdous Hotels Pvt. Ltd. The petitioner shall thereafter pay the balance amount after adjusting the amount of Rs.50,00,000/- (Rupees Fifty Lakhs Only) directed to be paid by the petitioner in terms of this order of this Court.

8.In case, there is excess payment, the same shall be refunded/adjusted in accordance with law. Entire exercise shall be completed within a period of 120 days from the date of receipt of a copy of this order. Subject to payment to the above compliance, the respondents shall keep all recovery proceeding in abeyance.

9. The Writ Petition is disposed of with the above observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.”

8. In view thereof, with reference to the dues, water charges and tax due to the respondents board, the same approach can be adopted in respect of the petitioner. The petitioner shall deposit a sum of Rs.40,00,000/- (Rupees Forty lakhs only) within a period of three weeks from the date of receipt of the web copy of the order and upon such deposit, the petitioner shall be provided with the break-up of the existing dues, the revision order, the



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revised dues, surcharge, etc., within two weeks from the date of such deposit.

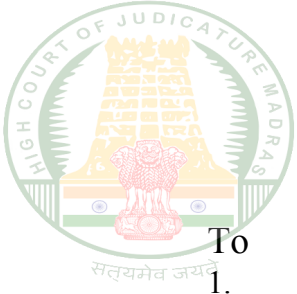
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Upon receipt of the particulars, the petitioner shall submit any objections with reference to the calculation, entitlement or any other legal right of the petitioner, within a further period of two weeks. The respondents shall consider these objections. The respondent authorities shall pass a speaking order. Depending on the speaking order that is passed, further demands can be raised against the petitioner in the manner known to law.

9. Accordingly, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

06.03.2025

Neutral Citation: Yes/No
nsl



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To
1.
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AND SEWERAGE BOARD,
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75, SANTHOME HIGH ROAD, SANTHOME,
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D.BHARATHA CHAKRAVARTHY, J.

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