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W.P.No.12707 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.12707 of 2023

and

W.M.P.No.12498 of 2023

Asha Alexander

... Petitioner

Vs.

- 1.Special Tahsildar (RR),
Chennai Metropolitan Water Supply and Sewerage Board,
Chindadripet, Chennai – 600 002.
2. Chennai Metropolitan Water Supply and Sewerage Board,
Rep by its Chairman,
Chindadripet, Chennai – 600 002.
- 3.Deputy Area Engineer – 31,
Area – X,
Chennai Metropolitan Water Supply and Sewerage Board,
Kodambakkam, Chennai – 600 024.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to Distract Order of the 1st respondent under Section 8 of Tamil Nadu R.R Act 1864 dated 10.03.2023 and quash the same consequently directing the respondents 2 & 3 to demand water supply and sewerage tax as per law.



W.P.No.12707 of 2023

For Petitioner : Mr.R.Chithiraputhiran

For Respondents : Dr.N.Paul Sunder Singh
Standing Counsel

ORDER

The petitioner claims to have purchased an extent of 100 Sq.ft of property from one T.Ashok Kumar Jain by a registered sale deed dated 21.01.2022. It appears that the previous owner of the property namely one Mrs.Rajini was in arrears of the Water and Sewerage Charges under the provisions of the Chennai Metropolitan Water Supply and Sewerage Board.

2. The learned counsel for the Petitioner submits that pursuant to the order of this Court dated 26.04.2023, the Petitioner has not only paid 50% of the disputed tax, but also the entire tax liability. It is submitted that the Petitioner has been unnecessarily made liable to pay the amount even though the Petitioner is only 100 Sq.ft out of 1779 Sq.ft.

3. That apart, it is submitted that the Petitioner is also assessed the property tax and therefore the Petitioner addressed can be made liable to pay only the proportionate water tax.



W.P.No.12707 of 2023

WEB COPY

4. The learned counsel for the Petitioner further submits that the Petitioner is not having any water or sewerage connection for the 100 Sq.ft shop in the complex and therefore the Petitioner has been unnecessarily forced to pay the amount apart from the water taxes.

5. The submission of the Petitioner appears to be justifiable as Petitioner has not received any such service from the Respondents. Considering the fact that the Petitioner is having a small shop in the complex, the Respondents are directed to consider the request of the Petitioner, if any, and pass appropriate orders on merits and in accordance with law.

6. In case, the amount has to be collected only proportionate amount has to be collected and levied by the Petitioner.



W.P.No.12707 of 2023

7. This Writ Petition stands disposed of with the above observations.

No costs. Connected Writ Miscellaneous Petition is closed.

10.10.2025

Neutral Citation : Yes / No

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To:

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C.SARAVANAN, J.

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