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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.35633 of 2024

Mrs.Sonam Modi

.. Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai – 600 003.

2.Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.

3.The Inspector of Police,
P2 Police Station,
Otteri, Chennai.

4.M/s.Arihant North Town Owners & Residents Welfare Association
(ANTORWA), (Registration No.303/2018)
Office at Door No.4,5,6,7,x Stephenson Road,
Perambur, Chennai 600 012.

5.Rakesh Agarwal

6.Viral Takkar

.. Respondents



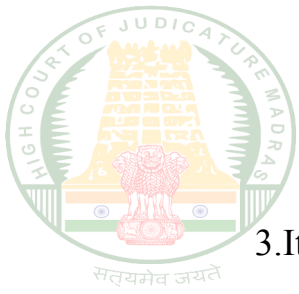
Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to provide the petitioner with the adequate water connection for the petitioner's dosa shop.

For Petitioner	.. Mr.S.Prabhu
For Respondents	.. Mrs.P.T.Ramadevi
	Standing Counsel for R1
	Ms.K.Vasantha Mala
	Government Advocate for R2
	Mr.V.Nanmaran
	Additional Government Pleader for R3
	Mr.Madhu Prakash for R4 to R6

ORDER

This writ petition has been filed in the nature of a mandamus seeking a direction to the respondents 1 and 2 to provide adequate water connection for the petitioner's dosa shop. There is representation also on behalf of respondents 4 to 6.

2.In the affidavit filed in support of the writ petition, it is contended that the petitioner is residing in one of the flats at Ananda Phase, North Town Estate, Stephenson Road, Perambur. The respondents 4 to 6 are the Owners and Residents Welfare Association members / office bearers. The relief sought is for a direction that the petitioner must be given independent water connection to the flat where the petitioner resides.



3.It had been contended on behalf of the 2nd respondent, Chennai Metropolitan Water Supply and Sewerage Board that water supply had been granted to the Apartment as such and thereafter, laying of pipelines within each flat is the prerogative of the Association and not of the 2nd respondent. Independent water supply cannot be granted by the 2nd respondent. There is an agreement already in existence between the petitioner and the Association. The petitioner may invoke the dispute resolution process, if the petitioner is aggrieved by breach of any of the terms. The Court under Article 226 cannot enforce an agreement.

4.The writ petition stands dismissed, however giving liberty to the petitioner to approach the appropriate forum in the manner known to law. No Costs.

06.01.2025

Index:Yes/No

Internet:Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation:Yes/No

ssr

To

1.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai – 600 003.



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C.V.KARTHIKEYAN,J.

SSI

- 2.Chennai Metropolitan Water Supply and Sewerage Board,
No.1, Pumping Station Road,
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- 3.The Inspector of Police,
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