



W.P.No.39888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.39888 of 2025
and
W.M.P.No.44817 of 2025

D.Ramesh

.. Petitioner

VS

1. The Principal Secretary,
Government Municipal Administration and
Water Supply Department, Secretariat,
Chennai – 600 009.
2. The Principal Secretary,
Health and Family Welfare Department,
Beach Rd, Fort St.Geroge, Chennai,
Tamil Nadu – 600 009.
3. The Corporation,
Greater Chennai Corporation Ripon Buildings,
No.1131, EVR Periyar Salai, Park Town,
Chennai – 600 003.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
'Thalamuthu – Natarajan Maaligai',
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
5. The District Collector,



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Rajaji Salai, Fourth Floor,
62, Beach Rd, Gerogetown, Chennai,
Chennai – 600 001.

6. The Assistant Executive Engineer,
Unit-38, Zone-XIII,
Greater Chennai Corporation,
No.115, Dr.Muthulakshmi Salai,
Adyar, Chennai – 600 020.

7. Chitra Selvi .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 6 to forthwith permit the petitioner to install and place an independent UPVS overhead water tank with a capacity of 1000 litres on the terrace or at any suitable location connected to the main water tank in respect of Flat No.1B, situated at No.29, Kuppam Beach Road, CGE Housing Colony, Thiruvanmiyur, Chennai – 600 041, and to take necessary and appropriate action to ensure uninterrupted water supply to the said flat.

For Petitioner : Mr.S.Kowshick

For Respondents : Dr.T.Seenivasan
Special Government Pleader for R1
Mr.L.S.M.Hasan Fikal
Additional Government Pleader
for R2 and R5
Mr.E.C.Ramesh
Standing Counsel for R3 and R6
Mr.V.Sudalaiselvan
Standing Counsel for CMDA for R4

ORDER



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The writ petition is filed for a Mandamus to direct the respondents 1 to 6 to forthwith permit the petitioner to install and place an independent UPVS overhead water tank with a capacity of 500/1000 litres on the terrace, or at any suitable location connected to the main water tank in respect of Flat No.1B, situated at No.29, Kuppan Beach Road, CGE Housing Colony, Thiruvanniyur, Chennai – 600 041, and for a consequential direction.

2. This is essentially a private dispute relating to the petitioner and the seventh respondent. The petitioner is the owner of an apartment in Triveni Apartments in Thiruvanniyur. The seventh respondent, who is another apartment owner, is preventing the petitioner from enjoying the benefit of water supply and other common amenities.

3. Under the Tamil Nadu Apartment Ownership Act, 2022 (Act No.44 of 2022) when common amenities, including water supply are withheld, an enquiry is to be conducted by the competent authority. The petitioner has not approached the competent authority so far with a complaint or objection. All the authorities approached by the petitioner



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are, either Municipal or Revenue authorities, and both are not empowered under the Act. The petitioner shall approach the competent authority to invoke jurisdiction under Section 25 of the Tamil Nadu Apartment Ownership Act, 2022 (Act No.44 of 2022) and thereafter, if no action is initiated, can approach this Court.

4. With the above observation, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.10.2025

Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No
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To

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Water Supply Department, Secretariat, Chennai – 600 009.
2. The Principal Secretary,
Health and Family Welfare Department,
Beach Rd, Fort St. George, Chennai, Tamil Nadu – 600 009.
3. The Corporation,
Greater Chennai Corporation Ripon Buildings,
No.1131, EVR Periyar Salai, Park Town,
Chennai – 600 003.
4. The Member Secretary,
Chennai Metropolitan Development Authority,
'Thalamuthu – Natarajan Maaligai',
No.1, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
5. The District Collector,
Rajaji Salai, Fourth Floor,
62, Beach Rd, Geroqe Town, Chennai,
Chennai – 600 001.
6. The Assistant Executive Engineer,
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V. LAKSHMINARAYANAN, J.

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