



WEB COPY



W.P.No.43880 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.43880 of 2025

T.P.Sekar

... Petitioner

Vs.

1.Chennai Metropolitan Water Supply and Sewerage Board,
Rep.by its Managing Director,
1, Pumping Station Road,
Chennai – 600 002.

2. The Special Tahsildar,
Zone-V, CMWSSB,
Anna Park, Cemetery Road,
Chennai – 600 021.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, to call for the records pertaining to impugned order dated 11.09.2025 passed by 2nd respondent for arrears amount of Rs.60,454/- for the house bearing Door No.23 (Old No.80, Singara Garden V Lane, Old Washermenpet, Chennai – 600 021 and quash the same impugned order dated 11.09.2025 of the 2nd respondent.



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For Petitioner : Mr.I.Rathinavel

For Respondents : Mr.M.Vinoth, Standing Counsel

ORDER

The petitioner is before this Court challenging the impugned order relating to recovery proceedings in Form-1 under Section 8 of the Tamil Nadu Revenue Recovery Act. By the impugned order dated 11.09.2025, the petitioner has been called upon to pay a sum of Rs.60,454/-.

2. Earlier, the petitioner approached this Court against a similar demand in W.P.No.20373 of 2022, dated 10.08.2022. The writ petition was disposed of after hearing the learned counsel for the petitioner and the learned counsel for the respondent, who appeared them with following observations:-

“ 4. Prima facie, it appears the amount that has been determined by the respondent as arrears towards surcharge from the petitioner which appears to be without any notice.



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Considering the same, I quash the impugned demand and direct the respondent to consider the petitioner's representation and pass fresh orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The petitioner is at liberty to file fresh representation and also deposit any amount which is according to the petitioner is in arrears. The petitioner is also at liberty to pay any amount without prejudice to the final order to be passed pursuant to the order of this court.”

3. Pursuant to the above direction, the petitioner submitted a representation dated 17.10.2022 and another representation dated 13.03.2025. Despite these representations, and despite the direction of this Court to the respondent to pass a speaking order, an order was passed only on 23.04.2025, followed by the impugned consequential order passed by the Tahsildar on 11.09.2025. The order dated 23.04.2025 is not in accordance with the earlier order passed by this Court in W.P.No.20373 of 2022.



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4. Considering the above, the impugned orders, including the consequential orders, are quashed. The matter is remitted back to the first respondent to pass a fresh order in accordance with the order dated 10.08.2022 in W.P.No.20373 of 2022, within a period of four weeks from the date of receipt of a copy of this order. All recovery proceedings shall remain stayed, subject to the outcome of the fresh order to be passed by the first respondent.

5. This Writ Petition is disposed of with the above directions. No costs.

18.11.2025

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Neutral Citation : Yes / No

To:

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C.SARAVANAN, J.,

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