



W.P. No.1477 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.06.2026

WEB COPY

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.1477 of 2023

and

W.M.P. No.1572 of 2023

Kamal Babbar

..Petitioner(s)

Vs

1. The Managing Director
Chennai Metropolitan Water Supply and
Sewerage Board, No.1, Pumping Station Road,
Chennai-600 002.
2. The Superintending Engineer,
Chennai Metropolitan Water Supply and
Sewerage Board, No.1, Pumping Station Road,
Chennai-600 002.
3. Senior Accounts Officer
Chennai Metropolitan Water Supply and
Sewerage Board, Area-XV, K.K.Salai,
Sholinganallur, Chennai-600 119.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to pay compensation for the land that had been acquired by the respondents vide G.O. Ms. No.835 measuring an extent of one ground bearing Door No.88C comprised in S.No.18/3-A/1, situated at Village No.146, Injambakkam Village, Saidapet Taluk, Chennai-600 041 Kancheepuram District and within the sub-registration

1/6



W.P. No.1477 of 2023

district of Adyar, and within the registration district of South-Madras at the prevailing rate together with interest or in the alternative directing the respondent to return the said land in all measuring an extent of one ground bearing door No.88C comprised in S.No. 18/3-A/1, situated at Village No.146, Injambakkam Village, Saidapet Taluk, Chennai-600 041 Kancheepuram District and within the sub-registration district of Adyar, and within the registration district of South-Madras together with compensation for the usage of the said land all along owing to its wear and tear.

For Petitioner : Mr.R. Subramaniam
for Mr.D. Ashok Kumar

For Respondents : Mrs. S. Deepika
for CMWSSB for RR1 to 3

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to pay compensation for the land measuring an extent of one ground comprised in S.No.18/3A/1 (formerly S.No.18/3 part), bearing Door No.88/C, East Coast Road, Injambakkam Village, Saidapet Taluk, Chennai – 600 041, which is utilized by the respondents for public purposes, together with interest, or in the alternative, to return the said land to the petitioner along with compensation for its usage.

2. It is stated that the petitioner is the owner of the subject property and is in possession of revenue records including patta standing in his name. According to the petitioner, the said land was utilized by the respondents as an



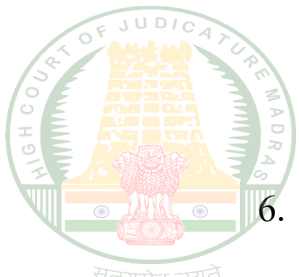
W.P. No.1477 of 2023

alternative site for digging a well to facilitate water supply to public in the said location. It is the specific case of the petitioner that though the land has been utilized by the respondent / CMWSSB for a public purpose for several years, no compensation has been paid to him.

3. It is further stated that for the very same relief, the petitioner earlier filed W.P.No.5829 of 2022 and this Court vide order dated 17.03.2022 disposed of the said writ petition and granted liberty to the petitioner to file a fresh writ petition along with supporting documents. Pursuant thereto, the present writ petition has been filed enclosing the relevant title and revenue records.

4. Learned counsel for the petitioner contended that utilization of the petitioner's land by CMWSSB without payment of any compensation is arbitrary and therefore, he prayed for issuance of suitable directions in the above regard.

5. Per contra, learned counsel appearing for the respondents submitted that the claim made by the petitioner cannot be decided by way of writ proceedings since it involves disputed questions of fact. According to the respondents, issues relating to the petitioner's title, the nature of utilization of the land and the claim for compensation require examination of evidence. In the light of the above, he submitted that the petitioner may be directed to approach the competent Civil Court.



W.P. No.1477 of 2023

6. Heard the submissions made by learned counsel on both sides and perused the materials available on record.

7. The petitioner's grievance is that his land has been utilized by the respondents without payment of any compensation. However, the respondents dispute the claim and contend that various factual aspects require adjudication. The issues raised would necessitate examination of documents and other evidence to determine the rights of the parties, which cannot be decided under Article 226 of the Constitution of India. Therefore, this Court is of the view that the petitioner would have to work out his remedy before the competent Civil Court. Accordingly, liberty is granted to the petitioner to work out his remedy in the manner known to law before the competent Civil Court.

8. With the aforesaid liberty, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

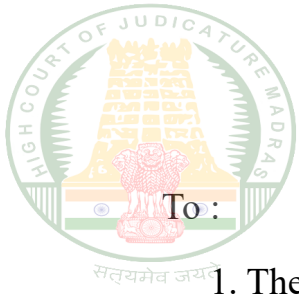
08.06.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

vsi2



W.P. No.1477 of 2023

To:

1. The Managing Director

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

2. The Superintending Engineer,

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

3. Senior Accounts Officer

Chennai Metropolitan Water Supply and Sewerage Board, Area-XV,
K.K.Salai, Sholinganallur, Chennai-600 119.



WEB COPY



W.P. No.1477 of 2023

M. DHANDAPANI, J.

vsi2

W.P. No.1477 of 2023

and

W.M.P. No.1572 of 2023

08.06.2026