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W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

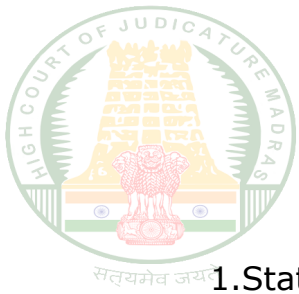
And

M.P.Nos.1 & 2 of 2012 and W.M.P.Nos.7798 & 7799 of 2021

T.V.Sathyanarayanan	... Petitioner in W.P.3970/2012
T.V.Sathia Narayana	... Petitioner in W.Ps.7291 & 7295/2021

Vs.

- 1.State of Tamil Nadu
Rep. by the Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Salai,
Egmore, Chennai – 600 008
Rep. by its Member Secretary
- 3.The Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Chennai – 600 002
Rep. by its Managing Director ... Respondents in W.P.3970/2012



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

WEB COPY

1.State of Tamil Nadu

Rep. by the Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.State of Tamil Nadu

Rep. by the Secretary to Government,
Municipal Administration and Water Supplies,
Secretariat, Fort St.George,
Chennai – 600 009.

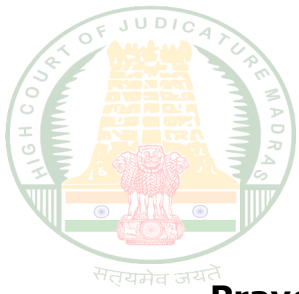
3.The Chennai Metropolitan Development Authority,
No.8, Gandhi Irwin Salai,
Egmore, Chennai – 600 008
Rep. by its Member Secretary

**4.The Chennai Metropolitan Water
Supply and Sewerage Board,**
No.1, Pumping Station Road,
Chennai – 600 002

Rep. by its Managing Director ... Respondents in W.P.7291 &
7295/2021

Prayer in W.P.No.3970 of 2012:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring that the action of the third respondent in demanding, levying and collecting infrastructure development charges under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2, 3, 5 and 8 of the working sheet in respect of the construction of residential-cum-professional office complex in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai as illegal and unconstitutional.



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

WEB COPY

Prayer in W.P.No.7291 of 2021:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the fourth respondent, their officers, employees, subordinates or any other persons claiming or acting under the fourth respondent from demanding, levying and collecting infrastructure development charges for the said area under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2 to 15 of the working sheet (Application for Water and Sewer Connection) in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai as illegal and unconstitutional.

Prayer in W.P.No.7295 of 2021:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration declaring that the action of the fourth respondent in demanding, levying and collecting infrastructure development charges for the said area under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2 to 15 of the working sheet in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai as illegal and unconstitutional.



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W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

For Petitioners : Mr.Sathish Parasaran
Senior Counsel
for M/s.Rahul Balaji
in all the W.Ps.

For Respondents : Ms.K.Vasanthamala
for CMWSSB
Ms.P.Veena Suresh
for CMDA
in all the W.Ps.
Mr.C.Prabakaran
Government Counsel
for R1 in W.P.3970 of 2012
for R1, R2 in W.Ps.7291 & 7295 of 2021

COMMON ORDER

W.P.No.3970 of 2012 has been filed seeking issuance of Writ of Declaration declaring that the action of the third respondent in demanding, levying and collecting infrastructure development charges under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2, 3, 5 and 8 of the working sheet in respect of the construction of residential-cum-professional office complex in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai as illegal and unconstitutional.

2.W.P.No.7291 of 2021 has been filed seeking issuance of Writ



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

WEB COPY

of Mandamus forbearing the fourth respondent, their officers, employees, subordinates or any other persons claiming or acting under the fourth respondent from demanding, levying and collecting infrastructure development charges for the said area under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2 to 15 of the working sheet (Application for Water and Sewer Connection) in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai as illegal and unconstitutional.

3.W.P.No.7295 of 2021 has been filed seeking issuance of Writ of Declaration declaring that the action of the fourth respondent in demanding, levying and collecting infrastructure development charges for the said area under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 in so far as it relates to the items in Sl.Nos.2 to 15 of the working sheet in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal



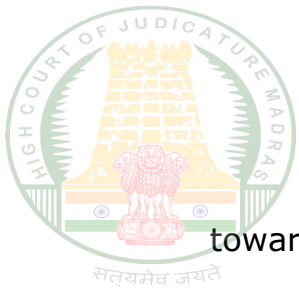
W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

Bank Road, Mylapore, Chennai as illegal and unconstitutional.

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4.Since the issue involved in these writ petitions are similar in nature, they are heard together and disposed of by way of common order.

5.The learned Senior Counsel appearing for the petitioners submitted that the petitioner in W.P.No.3970 of 2012 caused the lands comprised in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai, to be developed into a residential – cum – professional office complex, for which, the petitioner submitted application for planning permission dated 15.10.2008 for construction of 4 blocks consisting of Floor + Stilt + 4 Floors and 1 Block consisting of Ground Floor + 2 Floors (2nd Floor Part) of residential – cum – professional office with 143 dwelling units and thereafter rectified the defects pointed out by CMDA and addressed a letter dated 03.11.2009 to CMDA enclosing revised plans, pursuant to which, CMDA issued letter dated 16.02.2010, wherein, it was stated that water supply and sewerage infrastructure improvement charge is levied and requested the petitioner to furnish a demand draft in favour of CMWSSB for a sum of Rs.14,84,000/-



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

towards water supply and sewerage infrastructure improvement charges and the petitioner paid the amount on 18.02.2010.

6.The learned Senior Counsel appearing for the petitioners further submitted that thereafter, CMDA issued planning permission dated 18.03.2010 and the petitioner also obtained necessary building permit dated 28.06.2010 from the Corporation of Chennai. Thereafter, the petitioner approached CMWSSB for the purpose of applying for and obtaining water supply and sewerage connection and the petitioner was issued with an application for water supply and sewerage connection including a working sheet for computation of infrastructure development charges and in the said working sheet, some of the items which have no nexus either to the superstructure constructed or to the water and sewerage service connections was also included for the purpose of computation, pursuant to which, the petitioner approached the officials of CMWSSB and sought for clarification, however, the officials of CMWSSB prepared and handed over an unsigned statement of calculations showing the total amount of Rs.18,39,000/- and orally informed the petitioner that after deducting the amount of Rs.14,84,000/- already paid by the petitioner to CMDA on 18.02.2010, the petitioner has to pay a sum of Rs.3,55,000/-.



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

WEB COPY

7.The learned Senior Counsel appearing for the petitioners further submitted that the petitioner in W.P.Nos.7291 and 7295 of 2021 caused the lands in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai, to be developed into a residential building, for which, the petitioner submitted application for planning permission on 21.01.2014 for construction of residential building consisting of Double Basement Floors + Stilt Floor + 2 Floors (meant for parking) + 3rd Floor + 4th Floor + 5th Floor to 10th Floor (Part) + Service Floor and 11th Floor + 12th Floor to 15th Floor + 16th Floor Part (Lying both in CRZ and non CRZ Portion of the site) with 97 dwelling units and Club House at 16th Floor and after making the necessary payments including CMWSSB Sewerage and CMWSSB Water charges, CMDA issued Planning Permit dated 11.05.2016 and thereafter, the petitioner also obtained necessary building permit dated 20.07.2016 from the Greater Chennai Corporation.

8.The learned Senior Counsel appearing for the petitioners further submitted that thereafter, the petitioner approached CMWSSB for the purpose of applying for and obtaining water supply and



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

sewerage connection and the petitioner was issued with an application for water supply and sewerage connection including a working sheet for computation of infrastructure development charges and in the said working sheet, some of the items which have no nexus either to the superstructure constructed or to the water and sewerage service connections was also included for the purpose of computation, pursuant to which, the petitioner approached the officials of CMWSSB and sought for clarification, however, there is no response.

9.The learned Senior Counsel appearing for the petitioners further submitted that this Court may, without going into the merits of the case, issue direction to the respondents to conduct enquiry with regard to Sl.Nos.2, 3, 5 and 8 of the working sheet in respect of the construction of residential-cum-professional office complex in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai and Sl.Nos.2 to 15 of the working sheet in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai respectively, and issue fresh demand, if the petitioners agree to pay and if the petitioners did not agree to pay,



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

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liberty may be granted to the petitioners to work out the remedy in accordance with law.

10.The learned counsel appearing for CMWSSB submitted that there is no order as against the petitioners and it is only application for water supply and sewerage connection. However, in respect of the grievance of the petitioners with regard to Sl.Nos.2, 3, 5 and 8 of the working sheet in respect of the construction of residential-cum-professional office complex in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai and Sl.Nos.2 to 15 of the working sheet in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35, Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai respectively, the respondent will conduct enquiry and issue fresh demand if the petitioners are liable to pay the amount.

11.Heard the arguments advanced on either side and perused the materials available on record.



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

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12.The grievance of the petitioners is that they had made necessary payments for water supply and sewerage connection and obtained planning permission from CMDA, however, when they approached CMWSSB for water supply and sewerage connection, they issued application for water supply and sewerage connection including a working sheet for computation of infrastructure development charges and in the said working sheet, some of the items which have no nexus either to the superstructure constructed or to the water and sewerage service connections was also included for the purpose of computation.

13.However, considering the submissions made on either side and the limited relief now sought for by the learned Senior Counsel appearing for the petitioners, this Court without expressing any opinion on the merits of the case, direct the respondents to conduct enquiry with regard to Sl.Nos.2, 3, 5 to 8 of the working sheet in respect of the construction of residential-cum-professional office complex in T.S.No.115/7 in Block No.32 and T.S.Nos.23/33, 23/35 and 23/22 in Block No.34 in Tiruvanmiyur Village, Chennai and Sl.Nos.2, 3, 5 to 8 of the working sheet in respect of the construction of Residential building in R.S.No.43105/5, Block No.96 and R.S.No.4569/34 & 35,



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

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Block No.100 of Mylapore Village, bearing Door No.40, South Canal Bank Road, Mylapore, Chennai respectively, hear the petitioners and pass appropriate orders with regard to additional demand, if the petitioners are liable to pay any additional amount. If any fresh demand is made by the respondents, the petitioners are at liberty to work out the remedy in the manner known to law.

14.With the above observations and directions, the writ petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

01.06.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No



W.P.Nos.3970 of 2012, 7291 and 7295 of 2021

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To

- 1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Secretary to Government,
Municipal Administration and Water Supplies,
Secretariat, Fort St.George,
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- 3.The Chennai Metropolitan Development Authority,
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Rep. by its Managing Director



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M.DHANDAPANI,J.
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**W.P.Nos.3970 of 2012,
7291 and 7295 of 2021
And
M.P.Nos.1 & 2 of 2012 and
W.M.P.Nos.7798 & 7799 of 2021**

01.06.2026