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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.3296 of 2026

CNR:{HCMA011660522026}
&
C.M.P.No.29195 of 2026

Arul Selvam
S/o. Late. Perumal James Fernandez,
Mary's Home, Plot No.1, D.No.40,
Jagannathapuram, 1st Street,
Chetpet, Chennai 600 031.

Appellant(s)

Vs

1. The Divisional Officer
   Chennai Metropolitan Water Supply
   and Sewage Board,
   No.227, 2nd Avenue, 12th Main Road,
   Anna Nagar, Chennai 600 040.

2. The Assistant Engineer
   Chennai Metropolitan Water Supply
   and Sewage Board,
   No.11, Subbarayan Street,
   Shenoy Nagar, Behind Pachaiyappas
   College, Chennai 600 030.

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3. S. Selvaraj
S/o. Late. Subramani,
Plot No.2, D.No.1/40/6.
Jagannathapuram, 1st Street, Chetpet,
Chennai 600 031.

Respondent(s)

Prayer :Appeal filed under Clause 15 of the Letters Patent seeking to set aside the order dated 19.06.2026 passed in WP No.21654 of 2023.

For Appellant(s): Mr.V.Jai Hari Sudhan

JUDGMENT
(Judgment of the Court was delivered by
G.Arul Murugan, J)

This intra-court appeal assails the order dated 19.06.2026 passed in W.P.No.21654 of 2023, whereby, the learned Single Judge allowed the writ petition challenging the order of first respondent dated 10.06.2023, whereby, the application of third respondent for effecting water and sewerage connection was rejected.

2. Heard learned counsel for appellant and perused the materials on record.

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3. Appellant and third respondent are neighbours. Third respondent filed an application seeking water and sewerage connection for his property. The said application was resisted by appellant on the ground that a civil suit was pending between them. Therefore, first respondent rejected the request of third respondent.

4. The learned Single Judge, considering the fact that the suit was decided in favour of third respondent and that the water connection is a basic civic amenity, for which pipeline will be laid underneath the common passage and holding that the essential amenities cannot be denied on the basis of civil dispute, allowed the writ petition.

5. It is seen from the records that the suit was decreed in favour of third respondent and obstructions in the common pathway were directed to be removed. It was also made clear that both the parties can use the common passage without obstructing the ingress and egress of third respondent. Taking note of the above, the learned Single Judge allowed the writ petition. Appellant cannot be aggrieved by effecting water and sewerage connection to third respondent, which

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would be given underneath the common passed without any obstruction.

6. We do not find any error or infirmity in the order of the learned Single Judge. Accordingly, the writ appeal is dismissed. Consequently, the interim application is also dismissed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
29.10.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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