TAMIL NADU WATER SUPPLY & DRAINAGE BOARD
31, Kamarajar Salai, Chepauk, Chennai 600 005.

ABSTRACT

Resumption of Water Supply to M/s. DCW Limited – Thoothukudi from 20 MGD Water Supply Scheme – orders – issued.

TWAD (O&M) WING

B.P.Ms.No.85 Dated : 07.03.2001

Read:

1. Board's Resolution No.2.3 dt.26.02.2001.

ORDER:

M/s. DCW Limited, Thoothukudi filed a writ petition in the High Court and obtained stay order from the High Court, Chennai against the remittance of water charges due to TWAD Board for the period from 4/90 to 1/97 amounting to Rs.77,98,780/- and disconnection of water supply to the factory. The same has been dismissed by the Honourable High Court, Chennai vide order dt.18.02.2000. Hence, M/s. DCW Limited, Thoothukudi have been asked to remit the arrears of water charges. The water supply to DCW Limited, Thoothukudi(Sahupuram) has been disconnected on 9.5.2000 as the company failed to remit the arrears of water charges due to TWAD Board.

2. M/s. DCW Limited have represented the Government to restore the water supply and the representation was placed before the Board. As resolved by the Board, orders were issued in B.P.Ms.No.199 dated 21.9.2000 as follows.

M/s. DCW Limited has-

a) to withdraw the case pending in the High Court against TWAD Board.

b) to remit Rs.15 Lakhs in lumpsum as initial payment towards arrears of water charges and the balance of arrears be paid in 15 equal monthly instalments in addition to the regular monthly water charges.

c) to remit the court fees and other expenses incurred by TWAD Board in conducting the case in one lumpsum to TWAD Board.

3) In response to the Board's Proceeding M/s. DCW Limited, Thoothukudi in their letter dated 31.01.2001 have stated thus:

i) that they have already remitted a sum of Rs.15 Lakhs vide Cheque dt.29.01.2001 (Receipt No.7670/dt.30.01.2001 by EE/TWAD/Maint.Dlvn., Thoothukudi)

ii) that they have directed their counsel to withdraw the case against TWAD Board.

iii) that they agreed to pay the balance amount of arrears in 15 instalments commencing from February, 2001.

They have requested the TWAD Board to resume water supply to their factory. They have also requested to Government and the Board to waive the Court Fee and other expenses amounting to Rs.1,35,000/-. The Government have suitably been informed by the Board vide Lr.No.149626-1/DCW/O&M/AE-VIII/ dt. 26.12.2000 that the request of the company will be considered only after the withdrawal of the case by them.

4) As resolved by the Board, M/s. DCW Limited, Thoothukudi have to remit the Court Fees and other expenses incurred by TWAD Board in conducting the case in one lump sum to TWAD Board. They have not remitted the Court fees and other expenses but on the contrary they have requested the Government and the Board to waive the court fee and other expenses.

5) In as much as they have remitted Rs.15 lakhs to TWAD Board against the arrears payable to TWAD Board and agreed to pay the balance in 15 instalments their request to resume water supply to M/s. DCW Limited, Thoothukudi from 20 MGD WSS pending receipt/waiver of court fees and other

expenses incurred by TWAD Board amounting to Rs.1,35,000/- and withdrawal of the case pending in the High Court against TWAD was placed before the Board in its meeting held on 26.2.2001.

6) The Board in its resolution No.2.3 dt.26.2.2001 has RESOLVED as follows:-

"RESOLVED after careful consideration that the water supply be resumed to M/s DCW Limited, Thoothukudi. Subject to confirmation that M/s. DCW Limited has withdrawn the case against TWAD Board, the refund of court fees need not be insisted upon".

7) Accordingly, the Board directs that the water supply be resumed to M/s. DCW Limited, Thoothukudi and the refund of court fees need not be insisted upon subject to confirmation that M/s. DCW Limited has withdrawn the case against TWAD Board.

/BY ORDER OF THE BOARD/

Sd/- A.M. Kasiviswanathan, 5/3,
Managing Director, TWAD.

To

The Chief Engineer, TWAD, Southern Region, Madurai.
Copy to:.
The Managing Director, TWAD, Chennai 5.
The Engineering Director, TWAD, Chennai 5.
The Finance Director, TWAD, Chennai 5.
The EE/Maint.Division, TWAD, Thoothukudi.
The SE/TWAD, T.V.Circle, Kovilpatti.
CAO(Accts)/CAO(Audit)/Legal Cell/Board Cell , Head office, Chennai

/forwarded/by order/

7/3/2001

Assistant Executive Engineer(O&M),
TWAD Board:Chennai 5.

7.3.2001