

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.5905 of 2015

C.Porkodi

...Petitioner

vs.

1. State Represented by:
The Secretary
Government of Tamil Nadu
Public Works Department (Groundwater)
Fort St.George
Chennai 600 009.
2. The District Collector
Office of the Collectorate
Kanchipuram District.
3. Revenue Divisional Officer
Pollacheri Village
Ponmar Panchayat
Thiruporur Taluk
Kanchipuram District
4. Block Development Officer
Pollacheri Village
Ponmar Panchayat
Thiruporur Taluk
Kanchipuram District
5. Tahsildar
Pollacheri Village
Ponmar Panchayat
Thiruporur Taluk
Kanchipuram District

...Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus and direct the second respondent to consider the representations dated 13.08.2014 and 18.08.2014 and disposing off the same by taking action against the owners of Private Water Lorry and forbearing them from extracting / abstracting ground water illegally in Polacherry Village, Ponmar Panchayat, Thiruporur Taluk, Kanchipuram District.

For Petitioner : Ms.K.M.Nalinishree

For Respondents : Mr.R.Vijayakumar for R1 to R3 and R5
Additional Government Pleader
Mr.K.V.Dhanapalan for R4

O R D E R

Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing the respondents 1 to 3 and 5 and the learned counsel appearing for the fourth respondent. With the consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.Petitioner seeks for a direction to the official respondents to consider his representations dated 13.08.2014 and 18.08.2014 and forbear the private lorry owners from extracting / abstracting ground water illegally in Polacherry Village, Ponmar Panchayat, Thiruporur Taluk, Kanchipuram District for commercial purpose.

3.The petitioner would state that inspite of the ban order issued by the Government water is being extracted illegally and is being supplied for commercial purposes. In this regard, representation is being given by the petitioner on 13.08.2014 and 18.08.2014 and the same is pending.

4.In the light of the above and without going into the merits of the allegations made by the petitioner against the lorry owners, there will be a direction to the third respondent to consider the representations dated 13.08.2014 and 18.08.2014 and after conducting enquiry pass orders on merits and in accordance with law, after hearing the petitioner as well as the so called persons who are extracting water. The petitioner is directed to enclose copy of the representation dated 13.08.2014 and 18.08.2014 along with copy of this order and forward the same to the third respondent. The above direction shall be complied with within a period of three months from

the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above observation.
No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary
Government of Tamil Nadu
Public Works Department (Groundwater)
Fort St.George, Chennai 600 009.
2. The District Collector
Office of the Collectorate
Kanchipuram District.
3. The Revenue Divisional Officer
Pollacheri Village
Ponmar Panchayat, Thiruporur Taluk
Kanchipuram District
4. The Block Development Officer
Pollacheri Village
Ponmar Panchayat, Thiruporur Taluk
Kanchipuram District
5. The Tahsildar
Pollacheri Village
Ponmar Panchayat, Thiruporur Taluk
Kanchipuram District

2 CCs to Ms.K.M.Nalinishree, Advocate SR.No. 12107

1 CC to the Government Pleader, SR.No. 12956

W.P.No.5905 of 2015

BR (CO)

PSI (19.03.2015)