

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.12.2017

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam
&
The Hon'ble Mr.Justice K.Ravichandrabaabu

W.P.No.14437 of 2017

&

W.M.P.No.15644 of 2017

L.GunasekaranPetitioner

Vs.

1.The District Collector,
Erode District.

2.The Thasildar,
Erode.

3.The Commissioner,
Erode Municipal Corporation,
Erode District.

4.P. KumaresanRespondents

Prayer:Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take necessary action to prevent the 4th respondent from taking water from the bore wells situated in R.S.No.1151/E of Kasipalayam Village, Erode District for the purpose of selling it to third parties by considering the petitioner's representation dated 29.03.2017.

For Petitioner : M/s.Tiitus Enoc

For Respondent Nos1-3 : Mr. T.N.Rajagopalan
Government Pleader (I/C)

O R D E R

(Order of the Court was delivered by T.S.Sivagnanam, J.,)

Heard Mr.Tiitus Enoc, the learned counsel appearing for the petitioner and Mr.T.N.Rajagopalan, the learned Government Pleader appearing for the respondents.

2. The petitioner has filed this Writ Petition, as a Public Interest Litigation, seeking for a direction upon the respondents 1 to 3 to take necessary action, to prevent the fourth respondent from drawing water from the bore well for commercial purpose.

3. The learned counsel appearing for the petitioner submits that, after the Writ Petition was filed, electricity service connection granted to the fourth respondent has been disconnected.

4. Be that as it may, the Government has now framed guidelines for the purpose of regulating the exploitation of the ground water for commercial purposes. Therefore, it goes without saying that, if any persons, including the fourth respondent has to necessarily obtain prior permission for tapping water from the bore well for commercial purposes, without obtaining permission, it cannot be done so.

5. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

sd

To

1.The District Collector,
Erode District.

2.The Thasildar, Erode.

3.The Commissioner,
Erode Municipal Corporation,
Erode District.

+1cc to Mr.J.Titus Enock, Advocate SR.No.89514
+1cc to Government Pleader SR.No.89918

W.P.No.14437 of 2017

GN(09/01/2018)