

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.10.2018
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.24926 to 24929 of 2018
and
W.M.P.Nos.28960 to 28971 of 2018

Sri Sakthi Papers India (P) Ltd.,
(Unit-II)

Represented by its Authorized Signatory,
Kothamangalam (Anjai),
Sathyamangalam (Taluk),
Erode- 638451 .. Petitioner in W.P.No.24926 of 2018

Sri Sakthi Papers India (P) Ltd.,
(Unit-I)
Represented by its Authorized Signatory,
195, N.H.Road,
Coimbatore- 641 001. .. Petitioner in W.P.No.24927 of 2018

Sri Venkatramana Paper Mills (P) Ltd.,
Represented by its Director
S.F.No.380/1, Pudhupeerkadavu,
Bhavanisagar (via),
Sathyamangalam,
Erode (Dt).638 451. ..Petitioner in W.P.No.24928 of 2018

Akshera papers,
Represented by its Authorized Signatory,
Pasuvapalayam (Anjal),
Sathyamangalam Taluk,
Erode District. ..Petitioner in W.P.No.24929 of 2018

Vs

1.The State of Tamil Nadu,
Rep.by its Principal Secretary
Public Works Department,
Fort St.George, Chennai.

2.The Executive Engineer,
Public Works Department,
Bhavanisagar Dam Division,
Bhavanisagar - 638 451.

.. Respondents in all W.P.'s

Prayer in all W.P.'s: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari, to call for the records pertaining to G.O(Ms).No.92, Public Works (W2) Department, dated 13.04.2018 issued by the 1st respondent and the consequent impugned notices bearing Lr.No.VAPA/EVA.1/Co. Sri Sakthi Papers Unit-I/378: M/2018, Lr.No.VAPA/EVA.1/Co. Sri Sakthi Papers Unit-I/371: M/2018, Lr.No.VAPA/EVA.1/Co.Sri Venkatramana/367:M/2018/dated .08.2018 and Lr.No.VAPA/EVA.1/Co. Akshera Papers/368:M/2018/dated .07.2018 issued by the second respondent and quash the same.

For Petitioner : Mr.Rahul Balaji
(in all W.P.'s) for Mr.R.Parthasarathy

For Respondents : Mr.C.Manishankar
(in all W.P.'s) Additional Advocate General
assisted by Mr.V.Jayaprakash Narayanan

C O M M O N O R D E R

The issue involved in these writ petitions is relating to G.O(Ms).No.92, Public Works (W2) Department, dated 13.04.2018.

2. When these writ petitions are taken up for hearing, Mr.C.Manishankar, learned Additional Advocate General appearing for the respondents submitted that the impugned G.O relating to charges for water drawn for industrial purposes from the Government sources, was subsequently amended vide G.O(Ms).No.253, Public Works (W2) Department, dated 28.09.2018 and hence, nothing survives for adjudication in these writ petitions. In support of his submission, he has produced a copy of the aforesaid G.O(Ms).No.253, Public Works (W2) Department, dated 28.09.2018, wherein, it has been amended as follows :

Amendment

For the existing table in para 5 of G.O(Ms) No.92, Public Works (W2) Department, dated 13.04.2018, the following shall be substituted :

1. No.	Descripti on	Present rate	Revised Rate
1.	Drawal of water for industria l purposes	For new industries, upto 5 years, 30 (Thirty) paise per 1000 (thousand) litres, subject to a minimum of Rs.3,000/- (Rupees Three thousand only) / annum effective from 09.05.1991.	For new industries at the rate of Rs.1.50 per 1000 litres, subject to a minimum of Rs.15,000/- per annum. Rates will be revised once in every three years.
2.	Drawal of water for industria l purposes	For Existing industries 50 (Fifty) paise per 1000 (Thousand) litres, subject to a minimum of Rs.5000/- (Rupees Five thousand only) / annum effective from 09.05.1991. G.O.Ms.No.890, Public Works Department, dated 09.05.1991 and G.O.Ms. No.474, Public Works (W2), Department, dated 13.11.2001.	For Existing industries Rs.1.50 per 1000 litres subject to a minimum of Rs.15,000/- per annum. Rates will be revised once in every three years.

3. Hence, the aforesaid G.O(Ms).No.253, Public Works (W2) Department, dated 28.09.2018, is recorded. In view of the subsequent development, no further order is required to be passed in these writ petitions.

4. At this juncture, Mr.Rahul Balaji learned counsel appearing for the petitioners submitted that apart from the charges, various other issues are pending for consideration and hence, the petitioners may be given liberty to approach the authorities concerned for appropriate relief as and when required.

5. Granting such liberty, these writ petitions stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

arr

To

1.The State of Tamil Nadu,
Rep.by its Principal Secretary,
Public Works Department,
Fort St.George, Chennai.

2.The Executive Engineer,
Public Works Department,
Bhavanisagar Dam Division,
Bhavanisagar - 638 451.

+2cc to Government Pleader SR.NO.70533

RSV(CO)
sm:2.11.2018

W.P.Nos.24926 to 24929 of 2018
and

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