

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2018

CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26897 of 2018
and
W.M.P.Nos.31244 and 31247 of 2018

Shri Harikrishna Papers (P) Ltd.,
Represented by its Joint Managing Director,
Mr.V.Vivek.

..Petitioner

Vs

1.State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Public Works Department,
Fort St.George,
Chennai - 600 009.

2.The Executive Engineer,
Public Works Department (WRD),
Amaravathi Dam Division,
Dharapuram - 638 656.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorari, calling for the records pertaining to G.O.(Ms).No.92, Public Works (W2) Department dated 13.04.2018 on the file of the 1st respondent and that of the proceedings of the 2nd respondent bearing Letter No.VP/VA-2/Ko.15/163M/2018, dated 17.09.2018 and quash the same.

For Petitioner : M/s.Aiyar and Dolia

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

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

2. When the writ petition is taken up for hearing, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader 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 this writ petition.

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 :

Sl . No.	Description	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 this writ petition.

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

5. Granting such liberty, the writ petition stand closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Public Works Department,
Fort St.George,
Chennai - 600 009.

2.The Executive Engineer,
Public Works Department (WRD),
Amaravathi Dam Division,
Dharapuram - 638 656.

+1cc to the Government Pleader, S.R.No. 71136

W.P.No.26897 of 2018
and

W.M.P.Nos.31244 and 31247 of 2018

VGI (CO)

rrs 01/11/2018

WEB COPY