

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.Nos.23445 to 23447 of 2004

1.Dr.Hari Prasad ... Petitioner
in W.P.No.23445 of 2004

2.S.Asraf Ali ... Petitioner
in W.P.No.23446 of 2004

3.C.Arjunan ... Petitioner
in W.P.No.23447 of 2004

Vs

1.The State of Tamilnadu,
rep.by the Secretary to Government,
Local Administration Department,
Fort St.George,
Chennai - 9.

2.The Managing Director,
Chennai Metropolitan Water
Supply and Sewerage Board,
M.R.C.Nagar, Raja Annamalaipuram,
Chennai - 28.

... Respondents 1 & 2
in all W.Ps.

3.The Revenue Divisional Officer,
Ponneri,
Tiruvallur District.

... 3rd Respondent
in W.P.Nos.23445 & 23447/2004

The Revenue Divisional Officer,
Tiruvallur, Tiruvallur District

... 3rd Respondent
in W.P.No.23446 of 2004

4.The Tahsildar,
Ambattur Taluk,
Tiruvallur District.

... 4th Respondent
in W.P.Nos.23445 & 23447/2004

The Tahsildar
Sriperambathur Taluk,
Tiruvallur District.

... 4th Respondent
in W.P.No.23446 of 2004

Common Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the respondents to grant licence to the petitioner for extracting, transporting and supplying water to the public, from the patta lands of the respective land owners as per petitioners application submitted under Section 5(2) (ii) of the Madras Metropolitan Area Ground Water (Regulation) Act 1987.

For Petitioners : Mr.S.Srinivasan in all W.Ps
For Respondents : Mr.S.Suresh Kumar, for R1, R3 & R4
Government Advocate, in all W.Ps
No Appearance for R2, in all W.Ps

C O M M O N O R D E R

Since the petitioners' representation made in the year 2003 before the second respondent seeking permission to extract and transport water to the public from patta lands of the respective land owners was not considered. Hence, the present writ petition has been filed.

2.In my view, the request made in the year 2003 cannot be considered at this point of time, after the lapse of more than 15 years. Nevertheless, if the law still permits the petitioners to make similar request as on date, it is always open to the petitioners to make an appropriate application before the concerned authorities.

3.In the light of the above observation, the petitioners are granted liberty to make fresh application ventilating their grievance for extract and transport of water for distribution to the public before the second respondent and on receipt of such an application, the second respondent herein shall consider the same in accordance with law on merits within a period of twelve weeks from the date of receipt of a copy of this order.

4.The writ petition stands ordered accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AT

To

1.The Secretary to Government,
State of Tamilnadu,
Local Administration Department,
Fort St.George,
Chennai - 9.

2.The Managing Director,
Chennai Metropolitan Water
Supply and Sewerage Board,
M.R.C.Nagar, Raja Annamalaipuram,
Chennai - 28.

3.The Revenue Divisional Officer,
Ponneri,
Tiruvallur District.

4.The Tahsildar,
Ambattur Taluk,
Tiruvallur District.

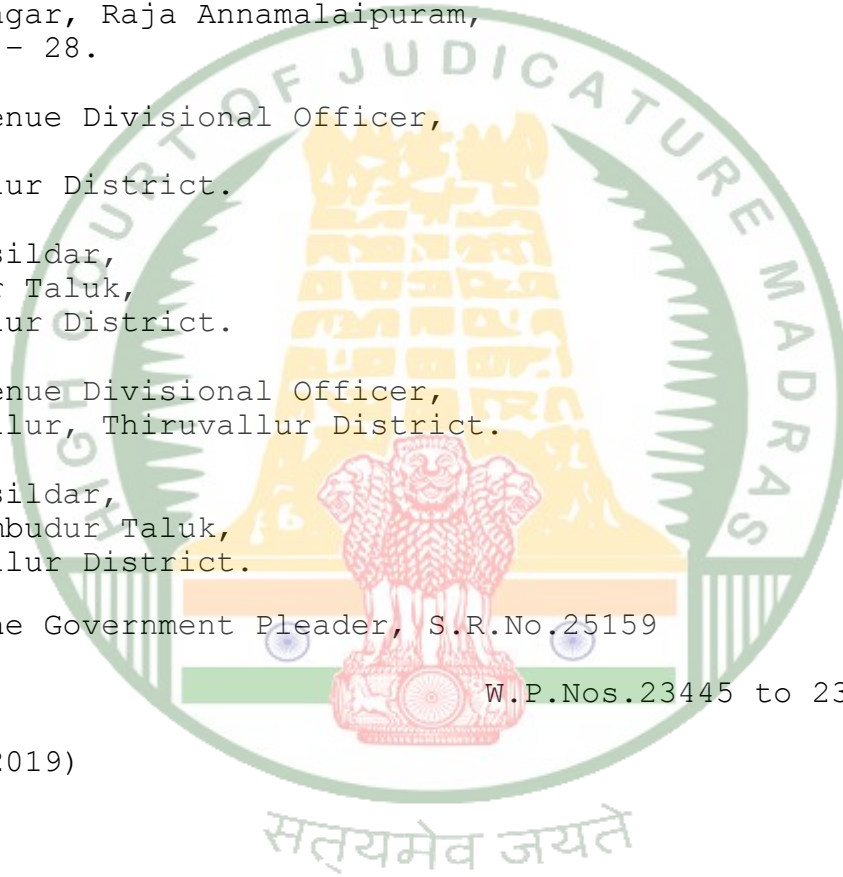
5.The Revenue Divisional Officer,
Thiruvallur, Thiruvallur District.

6.The Tahsildar,
Sriperumbudur Taluk,
Thiruvallur District.

+1cc to the Government Pleader, S.R.No.25159

W.P.Nos.23445 to 23447 of 2004

KK(CO)
CB(23/04/2019)



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