



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.7520 of 2019

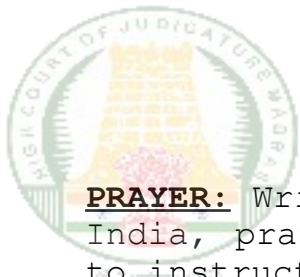
K.K.Ramesh

... Petitioner

VS

- 1) Union of India,
Rep. By its Secretary,
Ministry of Water Resources,
No.412, Shram Shakthi Bhawan, Rafi Marg,
New Delhi 110 001
- 2) The State of Tamil Nadu,
Rep. by its Chief Secretary,
Secretariat, Chennai - 600 009
- 3) The State of Tamil Nadu,
Rep. by its Principal Secretary,
Municipal Administration and Water Supply Department,
Chennai 600 009, Chairman, TWAD Board.
- 4) The State of Tamil Nadu,
Rep. by Secretary,
Public Works Department and
Water Resources Organization,
Fort St.George, Secretariat,
Chennai 600 009
- 5) The Managing Director,
TWAD Board, Chepauk,
Chennai - 600 009
- 6) The State of Tamil Nadu,
Rep. by its Principal Secretary,
Health Department, Fort St.George,
Secretariat, Chennai 600 009
- 7) The Engineer-in-Chief,
Water Resources Department,
Chepauk, Chennai-5 (W.E.)
- 8) The Chief Engineer,
Operation and Maintenance,
Water Resources Department,
Chepauk, Chennai-5 (W.E.)

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 1st respondent to instruct the respondents 2 & 3 to

(a) To take effective steps to storage the waters in a war footing manner in Tamil Nadu;

(b) To send circular or Government order to all District Collectors, corporation, commissioners, municipalities, Panchayat Boards, PWD officials, TWAD Board to take immediate steps in a war footing basis to provide drinking water in a regular manner to the people of the Districts of Tamil Nadu;

(c) To make people awareness about the water crisis and water famine through T.V., newspaper and radio and convey them to use water judiciously; and

(d) By considering the petitioner's representation dated 16.03.2019.

For Petitioner	: Mr.K.K.Ramesh (Party in person)
For RR 2 to 4, 6 to 8	: Mr.A.K.Baskarapandian, Special Government Pleader
For R5	: Mr.S.Porkodi Karnan
For R1	: No Appearance

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This writ petition has been filed praying for the issuance of direction to the 1st respondent to direct the respondents 2 & 3 for the above stated relief.

2. We heard Mr.K.K.Ramesh, the petitioner, who appeared in person. The petitioner has come forward with this writ petition to issue comprehensive directions with regard to storage of water in the State of Tamil Nadu and insisted on the issuance of circulars to all the Authorities at all levels to take immediate steps to provide drinking water on regular basis to all the people in the districts of Tamil Nadu and to sensitize the people about, how to save water and how to prevent water crises. All these issues have been concisely stated by the petitioner in his representation dated 16.03.2019, which appears to have been through email to all the Authorities.

3. The Central Water Commission, Southern Rivers Division, Coimbatore has filed a counter stating that it is not mandated on their part to issue directions to other respondents. However, as and when any project proposal is received from the Central and State Government for central funding under various schemes implemented by

<https://hcservices.ecourts.gov.in/hcservices/>



the Ministry of Water Resources, River Development and Ganga Rejuvenation and the project proposal meet the eligibility conditions as stipulated in the respective guidelines, then the first respondent will consider the same for approval for sanctioning the central funding.

4. This stand taken by the first respondent should be considered by the State Government, as only if the project proposed by the State Government meets the eligible conditions, the State Government will be able to obtain central funds. Therefore, we are of the considered view that the representation given by the petitioner can be taken note of and whatever details which are relevant to the said representation may be considered by the Government for evolving a long term solution.

5. It is not clear as to whether the representation of the petitioner has been received by the appropriate authority, as it has been sent through email. Therefore, to enable the respondents to take correct decision in the matter, we direct the petitioner to send a copy of the representation to the respondents 3 & 4 along with a copy of this order so as to enable the Authorities to take note of the points which have been mentioned by the petitioner in the representation and take an effective decision in the matter.

6. With these observations, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar co

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Sub Assistant Registrar(CS)

To

- 1) The Secretary, Union of India
Ministry of Water Resources,
No.412, Shram Shakthi Bhawan, Rafi Marg,
New Delhi 110 001
- 2) The Chief Secretary, State of Tamil Nadu
Secretariat, Chennai - 600 009
- 3) The Principal Secretary, State of Tamil Nadu
Municipal Administration and Water Supply Department,
Chennai 600 009, Chairman, TWAD Board.



4) The Secretary, State of Tamil Nadu
Public Works Department and
Water Resources Organization,
Fort St.George, Secretariat,
Chennai 600 009

5) The Managing Director,
TWAD Board, Chepauk,
Chennai - 600 009

6) The Principal Secretary, State of Tamil Nadu
Health Department, Fort St.George,
Secretariat, Chennai 600 009

7) The Engineer-in-Chief,
Water Resources Department,
Chepauk, Chennai-5 (W.E.)

8) The Chief Engineer,
Operation and Maintenance,
Water Resources Department,
Chepauk, Chennai-5 (W.E.)

+1 CC to Mr.DR. M.D. POORNACHARI, Advocate (SR-90679[F] dated 01/10/2019)

+1 CC to Mr.K.K.RAMESH, Advocate (SR-90621[F] dated 01/10/2019)

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-90845[F] dated 01/10/2019)

+1 CC to SPL GP (SR-90860[F] dated 01/10/2019)

Order made in
W.P. (MD) No. 7520 of 2019
30.09.2019

sts

VB(24.10.2019) 4P 13C