



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2019**

CORAM:

**THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND**

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD).No.20139 of 2019

M.Veerasamy

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Tiruchirappalli District.
- 2.The Revenue Divisional Officer,
Office of RDO
Vannankoil,
Tiruchirappalli District.
- 3.The Deputy Chief Engineer,
Public Works Department
(Water Resources Organization)
Trichy Region,
Pudukottai Road, P.B.No.803,
Subramaniapuram,
Tiruchirappalli.
- 4.The Superintendent of Police,
Tiruchirappalli District,
Subramaniapuram,
Tiruchirappalli.
- 5.The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti,
Tiruchirappalli District.
- 6.Karuppatti @ Sesuraj
- 7.David

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to consider the petitioner's representation dated 09.09.2019 and to take appropriate steps to prevent the 6th and 7th respondents



from taking ground water illegally in S.F.No.560/2 of Vaiyampatti Village, Manapparai Taluk, Tiruchirappalli District to take necessary criminal action as against the 6th and 7th respondent within stipulated time fixed by this Court.

For Petitioner : Mr.R.R.Manimaran
For R1 to R5 : Mr.A.Muthukaruppan
Additional Special Pleader

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.R.R.Manimaran, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents.

2.By consent on either side, this writ petition is taken up for disposal.

3.The petitioner by way of this public interest litigation seeks for a direction upon the respondents 6 and 7 alleging that they are drawing water by unauthorizedly erecting bore well for commercial purpose. In this regard, representations were given on 11.08.2019, 21.08.2019 and the latest representation is on 09.09.2019. The grievance is that no action has been taken on the representations.

4.Since we are disposing of the writ petition without notice to the respondents 6 and 7, we do not propose to issue any positive direction. Nevertheless, the officials, who are in-charge of the area should monitor and see as to whether there is any commercial exploitation of ground water without permission. Therefore, we direct the respondents 2 and 3 to conduct inspection of the concerned area and take appropriate action in accordance with law, after notice to the respondents 6 and 7. The above direction shall be complied with within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar

Ns
To

1.The District Collector,
Collectorate,
Tiruchirappalli District.

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



- 2.The Revenue Divisional Officer,
Office of RDO
Vannankoil,
Tiruchirappalli District.
- 3.The Deputy Chief Engineer,
Public Works Department
(Water Resources Organization)
Trichy Region,
Pudukottai Road, P.B.No.803,
Subramaniapuram,
Tiruchirappalli.
- 4.The Superintendent of Police,
Tiruchirappalli District,
Subramaniapuram,
Tiruchirappalli.
- 5.The Inspector of Police,
Vaiyampatti Police Station,
Vaiyampatti,
Tiruchirappalli District.

+1 CC to M/s.M.SELVAKUMAR, Advocate (SR-87835[F] dated 19/09/2019)

+1 CC to M/s.SPL GP (SR-88403[F] dated 20/09/2019)

W.P. (MD) .No.20139 of 2019
19.09.2019

JM/14.10.2019/3P/8C