



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-12-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP NOS. 31504 TO 31506 OF 2013, 10289, 23132 TO 23135 OF 2014
AND

MP NOS.1, 1 AND 1 OF 2013, 1, 1, 1, 1, 1, 2, 2, 2 AND 2 OF 2014

G.Thangavel	.. Petitioner in WP 31504/2013
N.Kittusamy	.. Petitioner in WP 31505/2013
P.Samiappan	.. Petitioner in WP 31506/2013
K.Ramasamy	.. Petitioner in WP 10289/2014
T.Sivakumar	.. Petitioner in WP 23132/2014
S.Govindasamy, S/o.Subbaiya Gounder	.. Petitioner in WP 23133/2014
S.Govindasamy, S/o.Subraya Gounder	.. Petitioner in WP 23134/2014
R.Logaraj	.. Petitioner in WP 23135/2014

vs.

The Chief Engineer,
State Ground and Surface Water Resources
Data Centre,
Water Resources Department,
Chennai.

.. R-1 in WPs 31504 to 31506/2013

The Revenue Divisional Officer,
Tiruppur.

.. R-1 in WPs 23132 to 23135/2014



The Tahsildar,
Kangeyam Taluk,
Kangeyam,
Tiruppur District.

..R-2 in WPs 31504 to 31506/2013

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The Tahsildar,
Palladam,
Tiruppur District.

.. R-2 in WPs 23132 to 23135/2014

The Tahsildar (North),
Tiruppur Taluk,
Tiruppur.

.. Respondent in WP 10289/2014

The Inspector of Police,
Vellakoil Police Station,
Tiruppur District

.. R-3 in WPs 31504 to 31506/2013

The Inspector of Police,
Palladam,
Tiruppur District.

.. R-3 in WPs 23132 to 23135/2014

WP 31504 of 2013 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from preventing the petitioner from taking water from his Well situated in S.No.299/1 of Mettupalayam Village in Kangeyam Taluk by Tanker Lorries for supplying domestic purpose i.e., drinking water to the residents of Vellakoil.

WP 31505 of 2013 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from preventing the petitioner from taking water from his Well situated in S.No.632/16 of Nadupalayam of Mettupalayam Village in Kangeyam Taluk by Tanker Lorries for supplying domestic purpose i.e., drinking water to the residents of Vellakoil.

WP 31506 of 2013 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, forbearing the respondents from preventing the petitioner from taking water from his Well situated in S.No.299/1 of Mettupalayam Village in Kangeyam Taluk by Tanker Lorries for supplying domestic purpose i.e., drinking water to the residents of Vellakoil.



WP 10289 of 2014 is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pass orders on the representation of the petitioner dated 26.03.2014 requesting not to prevent the transportation of the water from the Bore Well of the petitioner situated in S.No.657/1A of Thottathupalayam, Nerupperichal Village, Tiruppur Taluk through the Tanker Lorries for supplying the drinking water to the resident of Tiruppur.

WPs 23132 to 23135 of 2014 is filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Mandamus, forbearing the respondents from preventing the petitioners from transporting water by Tanker Lorries for supplying domestic purpose i.e., drinking water to the residents of Palladam and Tiruppur and for Agricultural purposes.

For Petitioner in all WPs : Mr.S.Doraisamy

For Respondents in all WPs: Mr.T.Venkatesh Kumar,
Special Government Pleader.

C O M M O N O R D E R

The relief sought for in WP Nos.31504 to 31506 of 2013 is to forbear the respondents from preventing the petitioners from taking water from his Well situated in S.Nos.299/1, 632/16 and 299/1 of Mettupalayam, Nadupalayam and Mettupalayam of Mettupalayam Village in Kangayam Taluk respectively by Tanker Lorries for supplying domestic purposes i.e., drinking water to the residents of Vellakoil.

2. The relief sought for in WP No.10289 of 2014 is to direct the respondent to pass orders on the representation submitted by the petitioner on 26.03.2014 requesting not to prevent the transportation of the water from the Bore Well of the petitioner situated in S.No.657/1A of Thottathupalayam, Nerupperichal Village, Tiruppur Taluk through the Tanker Lorries for supplying the drinking water to the resident of Tiruppur.

3. The relief sought for in WP Nos.23132 to 23135 is to forbear the respondents from preventing the petitioners from transporting water by Tanker Lorries for supplying domestic purpose i.e., drinking water to the residents of Palladam and Tiruppur and for Agricultural purposes.



4. During the pendency of the abovesaid writ petitions, the High Court delivered a common judgment on 03.10.2018 in a batch of writ petitions in WP Nos.28535 to 28539 of 2014 etc., batch, wherein directions were issued to regulate the extraction of ground water and supply of water through Tanker Lorries. Even the Hon'ble Division Bench of this Court also delivered a common judgment on 04.10.2019 in this regard in WP Nos.15304, 17384, 18264, 19596, 21299 & 21917 of 2019 of 2019.

5. In the abovesaid common judgement viz., WP Nos.15304, 17384, 18264, 19596, 21299 & 21917 of 2019 of 2019 dated 04.10.2014, the Hon'ble Division Bench of this Court also relied on G.O.Ms.No.142, Public Works Department, dated 23.07.2014. Therefore, it is needless to state that the respondents are bound to follow the Regulations and Guidelines issued by the Government for extraction of ground water and supply of drinking water through Tanker Lorries. In the event of any violations, all appropriate actions are to be initiated against the violators by following the procedures as contemplated. At the outset, the Authorities Competent are bound to follow the Guidelines/Instructions issued by the Government in this regard.

6. With the abovesaid directions, all the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chief Engineer,
State Ground and Surface Water Resources
Data Centre,
Water Resources Department, Chennai.
2. The Revenue Divisional Officer,
Tiruppur.



3. The Tahsildar,
Kangeyam Taluk,
Kangeyam, Tiruppur District.

4. The Tahsildar,
Palladam, Tiruppur District.

5. The Tahsildar (North),
Tiruppur Taluk, Tiruppur.

6. The Inspector of Police,
Vellakoil Police Station, Tiruppur District

7. The Inspector of Police,
Palladam, Tiruppur District.

+1cc to Mr.Doraisamy, Advocate, S.R.No.63610

WPs.31504 to 31506 of 2013, 10289,
23132 to 23135 of 2014,

SS (CO)
PM/14/12/2021