



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD) No.10884 of 2020

WEB COPY

S.Palanichamy

: Petitioner

Vs.

1.The Collector,
O/o. the Collector,
Theni District, Theni.

2.The Sub Collector cum Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Periyakulam at Thamaraikulam,
Periyakulam, Theni District.

3.The Tahsildar,
O/o. Tahsildar,
Aundipatti Taluk, Theni District.

4.The District Environmental Engineer (General),
Tamil Nadu Pollution Control Board,
Door No.15-4, 12A3 SAR Complex,
Poothipuram Road, Theni District.

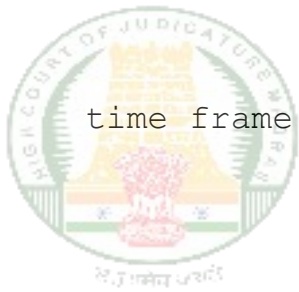
5.The Executive Engineer,
Public Works Department,
Water Resources Department,
Ground Water Division, Madurai.

6.The Administrative Officer,
O/o. Administrative Officer,
Aundipatti Selection Grade Panchayat,
Aundipatti, Theni District.

7.Raman @ K.Ramaraj

8.The Chief Engineer,
State Ground and Surface Water Resources Data Centre,
Tharamani, Chennai - 600 113. : Respondents
[R.8 suo-motu impleaded vide order dated 04.09.2020]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 6 to take appropriate steps in order to prevent the seventh respondent from indulging in illegal extraction of ground water on the basis of the petitioner's representation dated 24.07.2020, to them within a



time frame to be fixed by this Court.

For Petitioner : Mr.S.Chinnaian

For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader
for RR.1 to 3, 5, 6 & 8

Mr.K.Gokul for R.7

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the official respondents to take appropriate steps in order to prevent the seventh respondent from illegally extracting the ground water on a commercial scale.

2. When the matter is taken up for hearing, the learned Special Government Pleader produced a copy of the communication sent to the petitioner by the fifth respondent, wherein, it has been stated that the seventh respondent has undertook not to use the water for commercial purpose. Though the learned Counsel appearing for the seventh respondent submitted that the consent has been obtained from force, we are not willing to accept the same. Suffice it is to state that upon conducting the enquiry, the fifth respondent has sent a communication to the first respondent for appropriate action.

3. In such view of the matter, we direct the first respondent to take appropriate action, in accordance with law, on the communication sent by the fifth respondent dated 01.09.2020, in Letter No.82M/UPB/G7(B)/2020, addressed to the petitioner, which has also been marked to him. The needful in this regard will have to be done within a period of six weeks from the date of receipt of a copy of this order.

4. We make it clear that it is well open to the first respondent to get appropriate report from the Committee constituted, as per the proceedings in Na.Ka.No.3988/2020/G2, dated 20.02.2020, in this regard.

5. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.The Collector,
O/o. the Collector,
Theni District,
Theni.

2.The Sub Collector cum Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Periyakulam at Thamaraikulam,
Periyakulam,
Theni District.

3.The Tahsildar,
O/o. Tahsildar,
Aundipatti Taluk,
Theni District.

4.The Executive Engineer,
Public Works Department,
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Ground Water Division, Madurai.

5.The Administrative Officer,
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Aundipatti Selection Grade Panchayat,
Aundipatti, Theni District.

6.The Chief Engineer,
State Ground and Surface Water Resources Data Centre,
Tharamani, Chennai - 600 113.

+1 CC to M/s.S.CHINNAIAN, Advocate (SR-5492[F] dated 17/02/2021)

+1 CC to M/s.SPL GP (SR-5659[F] dated 17/02/2021)

W.P. (MD) No.10884 of 2020
16.02.2021

(SMV) CO
AP(25/02/2021) 3P 9C