



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P. (MD)No.19789 of 2020

Madurai District Borewell Rig Owners and
Agents Welfare Association (Reg No.177/1999),
Rep. by its President, B.Suresh,
No.1, M.K.Complex,
Melakkal Main Road, Kochadai,
Madurai - 625 016.

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The District Officer,
Department of Fire and Rescue Services,
Melaveli Street, Madurai - 625 001.

3.The Station Officer (Transport),
Fire and Rescue Services Station,
Madurai.

... Respondents

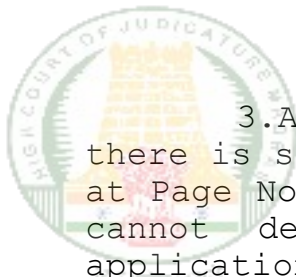
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to prevent the unregistered Bore-well and Rig Operators and those who are carrying the business of sinking well, without following the rules and regulations of the Government within the limit of Madurai District, by considering the petitioner's representation dated 29.07.2020 & 29.08.2020.

For Petitioner	: Mr.M.Solaisamy
For Respondents	: Mr.M.Karuppasamy, Government Advocate.

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.The petitioner is a registered association, representing the registered bore-well rig owners. The petitioner has given two representations. Vide representation dated 29.07.2020, the petitioner wants the respondents to take action against those who are carrying on business without getting license. Vide representation dated 29.08.2020, the petitioner states that fresh applications for grant of license should not be entertained.



3.As rightly pointed by the learned Government Advocate, there is some merit in the representation dated 29.07.2020 (enclosed at Page No.17 of the typed set of papers). However, the petitioner cannot demand that the authority should not consider fresh applications.

4.I find the said submissions of the learned Government Advocate to be eminently reasonable and sustainable. Therefore, this writ petition is disposed of by directing the respondents to take action against those who are carrying on the business of sinking well without following the rules and regulations or without getting license. However, the respondents cannot be restrained from considering any applications for grant of license. No costs.

Sd/-

Assistant Registrar(CRL SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

- 1.The District Collector,
Madurai District, Madurai.
- 2.The District Officer,
Department of Fire and Rescue Services,
Melaveli Street,
Madurai - 625 001.
- 3.The Station Officer (Transport),
Fire and Rescue Services Station,
Madurai.

+1 CC to M/s.GP (SR-91[F] dated 05/01/2021)

W.P. (MD)No.19789 of 2020
04.01.2021

SV2(CO)
TR(19.01.2021) 2P 5C