



W.P.No.17544 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2022

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.17544 of 2009

K.Krishnasamy

...Petitioner

Vs.

1. The Commissioner,
Tirupur Corporation,
Tirupur.
2. The Collector,
Tiruppur District,
Tiruppur - 641 604.
3. The Revenue Divisional Officer,
Tiruppur.
4. The Deputy Superintendent of Police,
South Police Station,
Tiruppur - 641 604
5. The Tahsildar, Palladam
[R5 suo-motu impleaded vide order
dated 24.06.2022 made in
WP No.17544 of 2009 by NAVJ

..Respondents



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Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from obstructing the supply of water taking from the open well for the petitioner situated in S.No. 205/3 of Ganapathipalayam Village, Palladam Taluk, through tanker lorries for domestic and industrial purpose in and around Tiruppur and palladam by the petitioner.

For Petitioner : Mr.S.S.Swaminathan

For Respondents : Mr.G.Sankaran for R1
Mr.U.Bharanidharan
Additional Government for
R2 to R5

ORDER

This writ petition was filed for the issue of writ of mandamus forbearing the respondents from obstructing the supply of water that is drawn by the petitioner from the open well situated in his property, through tanker lorries for his domestic and industrial purpose.



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2. When the matter was taken up for final hearing on 24.06.2022, this Court passed the following order :-

The Tahsildar, Palladam is suo motu impleaded as the 5th respondent in this writ petition.

2.The prayer in the writ petition is to forbear the respondents from obstructing the supply of water drawn by the petitioner from open well belonging to him for domestic and industrial purposes.

3.After the coming into force of the Tamil Nadu Ground Water (Development and Management) Act, 2003, there is a bar for drawing the ground water from the wells and the bore wells for commercial purposes. A notification is required to implement this Act in the concerned area and it is submitted that the entire State has been notified



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under the Act.

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4. In view of the above, there is no scope for permitting the petitioner to transport the water for industrial purposes. If the petitioner wants to utilize the water for domestic purpose, the petitioner shall appear before the impleaded 5th respondent on 04.07.2022 and given an undertaking that he will not draw water and utilize the same for industrial or commercial purposes.

5. The learned counsel for the respondents shall take instructions from the impleaded 5th respondent and report before this Court.

6. Post this case for hearing on 08.07.2022.

3. When the matter was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondents submitted that the petitioner has submitted his undertaking before the impleaded 5th respondent and he has



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undertaken to utilize the water only for his domestic purpose.

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4. In view of the above development and in view of the undertaking given by the petitioner, this writ petition is disposed of with a direction to the respondents to permit the petitioner to utilize the water from well only for domestic purpose as undertaken by him before the 5th respondent. If the petitioner violates the undertaking, it is left open to the 5th respondent to take action against the petitioner in accordance with law. No costs.

13.07.2022

Internet: Yes/No

Index: Yes/No

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To

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4. The Deputy Superintendent of Police,
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5. The Tahsildar, Palladam



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N.ANAND VENKATESH,J.,

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