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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12115 of 2022

and

W.M.P. (MD) No.8618 of 2022

P.Sethuraman

...Petitioner

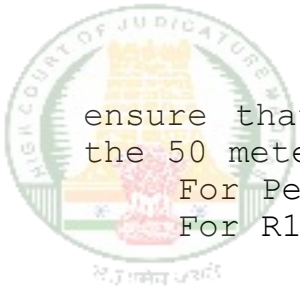
Vs.

- 1.The District Collector,
Madurai District.
- 2.The Executive Engineer
Water Resources Organization,
Water Basin Division,
Public Works Department,
Madurai.
- 3.The Designated Officer
Food Safety Department,
Madurai District.
- 4.The Block Medical Officer
Government Primary Health Centre,
Samayanallur,
Madurai District.
- 5.B.Ganeswari
W/o. Balamurugan,
The Proprietor,
M/s. R.V.Harsith Mineral Water Supplies,
Veerapandi Bit - I Village,
Chathirapatti Sub-Division,
Madurai North Taluk,
Madurai District.

6.R.Balamurugan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action as against the respondents 5 and 6 for their illegal and unauthorized tapping of ground water in Veerapandi I - Bit Village, Chathirapatti Sub-Division, Madurai North Taluk, Madurai District through their R.O. Unit by name R.V.Harsith Mineral Water Suppliers and further direct them to



ensure that no R.O. Water Plant is allowed to get operated within the 50 meters distance from Periyar Water Channel in the Village.

For Petitioner : Mr.R.Anand
For R1 to R4 : Mr.P.Thilak Kumar,
Government Pleader

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O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that the respondents 5 and 6 are unauthorisedly tapping ground water in Veerapandi I - Bit Village, Chathirapatti Sub-Division, Madurai North Taluk, Madurai District, for their Reverse Osmosis (R.O.) unit namely, M/s.R.V. Harsith Mineral Water Suppliers, the present Public Interest Litigation has been filed for a direction to the respondents 1 to 4 to stop the business.

2. Heard Mr.R.Anand, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4.

3. It is seen that the petitioner has given a representation to the Executive Engineer, Water Resources Organization, Public Works Department, Madurai, making some allegation in response to which, a communication has been sent by the latter to the former, wherein, it is clearly stated that M/s.R.V. Harsith Mineral Water Suppliers, had obtained the requisite "No Objection Certificate" (NOC) as early as on 18.11.2020. However, Mr.R.Anand, learned counsel appearing for the petitioner brought to the notice of this Court that a communication, dated 28.05.2022 from the third respondent, the Designated Officer, Food Safety Department, Madurai, wherein, it is stated that M/s.R.V. Harsith Mineral Water Suppliers, has not obtained FSSAI and BIS licence from the Food Safety Department. However, in the same communication, it is stated that, the owners of M/s.R.V. Harsith Mineral Water Suppliers, have undertaken to obtain necessary license and thereafter, run the business.

4. Recording the same, this writ petition is closed, with a direction to the third respondent to ensure that M/s.R.V. Harsith Mineral Water Suppliers, obtained the necessary FSSAI and BIS licence in accordance with law for running the business. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (As)

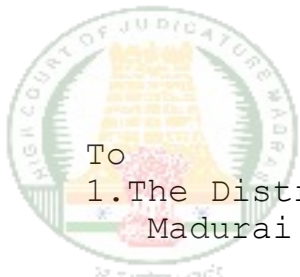
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/06/2022

Sub Assistant Registrar(CS)

RM

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



To

- 1.The District Collector,
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Samayanallur,
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- 5.R.V.Harsith Mineral Water Supplies,
Veerapandi Bit - I Village,
Chathirapatti Sub-Division,
Madurai North Taluk,
Madurai District.

+1 CC to M/s.SPL.GP (SR-26845[F] dated 20/06/2022)

W.P. [MD]No.12115 of 2022
17.06.2022

MGJ(28.06.2022) 3P 7C