



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2022

CORAM:

WEB COPY

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P(MD)NO.16988 OF 2020

and

W.M.P(MD)Nos.14204, 14205 and 14207 of 2020

Katrampatti Village Residents,
represented by Nattamai
S.Paneerselvam.

:Petitioner

.vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Thirumangalam Taluk,
Thirumangalam,
Madurai District.
- 3.The Deputy Superintendent of Police,
Thirumangalam Division,
Thirumangalam,
Madurai District.
- 4.The Panchayat President,
Thirali Village Panchayat,
Thirali,
Thirumangalam Taluk,
Madurai District.
- 5.The Chief Engineer,
State Ground and Surface Water Resources Data Centre,
Public Works Department,
Water Resources Department,
Tharamani,
Chennai - 600 113.



6.The Special Officer/The Block Development Officer,
(Village Panchayats),
Thirali Village Panchayat,
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

7.A.Sethuraj

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the fifth respondent in Certificate No.121/2020, dated 27.05.2020 and to quash the same as illegal and consequently to direct the official respondents to protect the ayacutdhars of Katrampatti Village for continuing agricultural activities in Thirali Bit 2 Village, Thirumangalam Taluk, Madurai District.

For Petitioner

:Mr.R.R.Kannan

For Respondents
1 to 6

:Mr.B.Saravanan
Additional Govt.Pleader

For Respondent-7

:Mr.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

O R D E R

(Order of the Court was made by PUSHPA SATHYNARAYANA, J)

The Petitioner has field the above Writ Petition challenging the ''No Objection Certificate'' issued on 27.05.2020 by the fifth respondent in favour of the seventh respondent, who is engaged in Water Packaging Business.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The No Objection Certificate issued on 27.05.2020 was given for withdrawal of 30,000 litres per day of ground water for the purpose of packaged drinking water in Thirali Bit 2 Village, Pannikundu, Thirumangalam Taluk, Madurai District. The very certificate says that the same was valid for only one year from the date of issuance and the ''No Objection Certificate'' is accorded under the conditions set out therein. The Issuance of the said No Objection Certificate was challenged and this Court had passed an interim order of injunction on the ground that when the area itself is classified as ''Semi Critical Categroy'', how was the No Objection Certificate was issued by the authorities.



4. Be that as it may, the period for which, the No Objection Certificate is issued was over as early as in the month of May 2021. The learned Senior Counsel appearing for the seventh respondent would submit that he could not get further renewal in view of the order of injunction granted by this Court. As the challenge is only to the issuance of No Objection Certificate, which was valid only for one year and that the time of validity itself is over and hence the Writ Petition has become infructuous.

5. In the event, the seventh respondent is applying for renewal of the 'No Objection Certificate', the fifth respondent is directed to consider the objection, if any, including that of the Petitioner herein, before issuing the No Objection Certificate and then to pass appropriate orders in accordance with law and as per the relevant Government Orders issued in that regard.

6. With the above direction, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsn

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 Tahsildar,
Thirumangalam Taluk,
Thirumangalam, Madurai District.
3. The Deputy Superintendent of Police,
Thirumangalam Division,
Thirumangalam,
Madurai District.

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



4.The Panchayat President,
Thirali Village Panchayat,
Thirali,
Thirumangalam Taluk,
Madurai District.

5.The Chief Engineer,
State Ground and Surface Water Resources Data Centre,
Public Works Department,
Water Resources Department,
Tharamani,
Chennai - 600 113.

6.The Special Officer/The Block Development Officer,
(Village Panchayats),
Thirali Village Panchayat,
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

+1 CC to M/s.RR.KANNAN, Advocate (SR-43[F] dated 03/01/2022)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate(SR-141[F] dated
04/01/2022)

+1 CC to M/s.SPL.GP (SR-185[F] dated 04/01/2022)

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