



W.P.(MD)No.7071 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2022

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THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.7071 of 2018
and W.M.P.(MD) No.6763 of 2018

A.Karupannan

... Petitioner

Vs.

1.The Secretary of State,
Fort St.George,
Chennai.

2.The District Collector,
Karur District.

3.The Tahsildar,
Kulithalai,
Karur District.

4.The Tamil Nadu Water Supply and Drainage Board,
TWAD House,
31, Kamarajar Salai,
Chepauk, Chennai.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the directing the respondents to consider the petitioner's representation dated 15.08.2016, 20.03.2017, 08.11.2017 and 15.03.2018 and Direct the Respondents to consider our objection and restrain from



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implementing the proposed project of constructing Motorized Well in Vadhiyam Village Survey No.1, 203.02.0 Ares - 377 meters north of Village Survey No. 8/2D1.

For Petitioner	: Mr.S.Vinod Sathya Lazar
For Respondents 1 to 3	: Mr.S.P.Maharajan Additional Government Pleader
For 4 th Respondent	: Mr.Vijay Karthikeyan Standing Counsel

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ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representations dated 15.08.2016, 20.03.2017, 08.11.2017 and 15.03.2018 and to direct them to consider his objection and restrain them from implementing the proposed project of constructing Motorized Well in Survey No.1, Vadhiyam Village, measuring an extent of 203.02.0 Ares - 377 meters North of Village Survey No. 8/2D1.

2. Heard Mr.S.Vinod Sathya Lazar, learned counsel for the petitioner, Mr.S.P.Maharajan, learned Special Government



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Pleader appearing for respondents 1 to 3, Mr.K.Vijay Karthikeyan,
learned Standing Counsel appearing for the 4th respondent.

3. In paragraph No.8 of the counter affidavit the fourth respondent has stated as follows:-

“8. It is submitted that the allegations made in para 12 of the affidavit filed in support of the Writ Petition is totally denied herein. The Geologist of this Respondent Board conducted a detailed investigation during the formulation of the scheme at the initial stage itself. A proper survey was conducted from upstream and downstream of 20 kilometer where there is no sufficient sand thickness and hence they have selected the present site and confirmed with the technical persons involving in the source finding. After the detailed investigation and drilling of trial bore wells for finding out sand depth, the present location was finalized as the sand depth in proposed location is 16 meter. The said report was placed before the Regional Scientific Source Finding Committee in which Chief Engineer, TWAD Board, Senior Hydrogeologist, TWAD Board and project related Officials of TWAD Board are members.



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The said committee had cleared the proposal.”

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4. Since the fourth respondent has negated the claim of the petitioner stating that after conducting a scientific study from upstream and downstream side of 20 kilometers, the present location was finalized as the sand depth in the proposed location is 16 meter and the work order was issued on 17.02.2017 and the same was completed on 05.11.2020, this Writ Petition is closed, leaving it open to the petitioner to approach the authorities for any of the grievance. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
14.09.2022

Internet : Yes / No
Index : Yes / No
sj

To
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and

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sj

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