



W.P.(MD)No.24045 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2022

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

W.P(MD)No.24045 of 2022

A.Gnanasekaran

... Petitioner

Vs.

1.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

2.The Sub - Collector,  
Paramakudi,  
Ramanathapuram District.

3.The Tahsildar,  
Kadaladi Taluk,  
Ramanathapuram District.

4.Muthusamy

5.Dhanam

6.Malairaja

7.Ramar

8.Punitharaj

9.Murugesan

10.A.K.Athi Ramu



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11.K.Rathinavel

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action against the respondents 4 to 11 to prevent them from fetching water from the newly dug bore-wells situated at Manicka Nagar, Kamarajapuram, Senthil Nagar, Ainthu Acre, Kuthiraimozhi and Periyamayakipuram, Kadaladi Taluk, Ramanathapuram District and to close the same for the interest of public at large by considering petitioner representation dated 16.06.2022.

For Petitioner : Mr.T.Lenin Kumar

For Respondents 1 to 3 : Mr.P.Thilak Kumar  
Government Pleader

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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 1 to 3 to take appropriate action against the respondents 4 to 11 to prevent them from fetching water from the newly dug bore-wells situated at Manicka Nagar, Kamarajapuram, Senthil Nagar, Ainthu Acre, Kuthiraimozhi and Periyamayakipuram, Kadaladi Taluk, Ramanathapuram District and to close the same for the interest of public at large by considering his representation dated 16.06.2022.



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2. Heard Mr.T.Lenin Kumar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 to 11 is dispensed with.

4. Alleging that the respondents 4 to 11 have dug giant bore wells upto 1000 feet in Manicka Nagar, Kamarajapuram, Senthil Nagar, Ainthu Acre, Kuthiraimozhi and Periyamayakipuram villages in Kadaladi Taluk, Ramanathapuram District and fetching water from those bore wells and transporting the same in 1000 lorries per day and in view of the same, the village people are not able to fetch water for their drinking purpose, the petitioner submitted a representation to the official respondents on 16.06.2022, and though this Court by order dated 01.08.2017, made in W.P.(MD) No.14252 of 2017 has granted an order of interim injunction restraining the third respondent therein from fetching



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water in respect of Mariyur Village, according to the learned counsel for the petitioner, no further step has been taken by the official respondents for stopping such illegal fetching of water for commercial purpose without any permission. Hence, the writ petition.

5. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the respondents 2 and 3 to dispose of the representation of the petitioner, dated 16.06.2022, within a time frame.

6. Considering the limited scope of the prayer now sought for by the petitioner, this Court, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, disposes of this Writ Petition with a direction to the respondents 2 and 3 to consider the representation of the petitioner dated 16.06.2022, in the light of the order passed by this Court on 01.08.2017, in W.P.(MD) No.14252 of 2017, after affording an opportunity of hearing to the petitioner, respondents 4 to 11 and



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any other parties concerned and pass appropriate orders on merits and in accordance with law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of the above representation. No costs. Consequently, connected Miscellaneous Petition is closed.

**[R.M.D., J.]                      [J.S.N.P., J.]**  
**19.10.2022**

Internet : Yes / No  
Index : Yes / No  
sj

To

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**R.MAHADEVAN, J.**

and

**J.SATHYA NARAYANA PRASAD, J.**

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