



W.P.Nos.20474 & 21160 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.20474 & 21160 of 2018

J.Rajesh Kumar .. Petitioner in
WP No.20474/18

K.M.Ravi .. Petitioner in
WP No.21160/18

Vs.

The District Collector
Thiruvallur District, Thiruvallur.

The Tahsildar
Ponneri Taluk, Ponneri.

Wilson
Chakkaravarthy
Anandan
Manickam

.. Respondents in
WP No.20474/18

State of Tamil Nadu
Rep. by its Principal Secretary
Municipal Administration and Water
Supplies Department
Secretariat, Fort St. George
Chennai 600 009.



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The District Collector
Office of the District Collector
Coimbatore District, Coimbatore.

The Commissioner and Special Officer
Office of the Commissioner and Special Officer
Corporation of Coimbatore
Coimbatore 641 002.

The Deputy Commissioner (General)
North Zone, Corporation of Coimbatore
Coimbatore 641 002.

The Assistant Director (Geology)
Ground Water – Geological Sub Division
Public Works Department
Coimbatore 641 001.

M/s. Bharathi Raja Water Suppliers
Rep. by its Manager
No.119, Gandhiji Road
Thayir Itteri (Puthu Thottam)
Kannappa Nagar, Chennai 641 027.

M/s. Gokul Water Service
Rep. by its Manager
No.224, Ponnusamy Street
Sanganur Main Road
Police Check Post Opposite
Kannappa Nagar, Coimbatore 641 027.

M/s. Shyam Sundar Water Service
Rep. by its Manager
No.102, Annai Appar Street
Thiruvallur Nagar, Nallampalayam
Ganapathy, Coimbatore 641 006.

Respondents in
.. WP No.21160/18



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Prayer: Petitions filed under Article 226 of the Constitution of India seeking

(i) a writ of Mandamus directing the respondents to consider the petitioner's representation dated 13.07.2017 and 13.03.2018 and take appropriate action against the persons extracting and transporting ground water illegally without obtaining permission in Vallur Village, Ponneri Taluk, Thiruvallur District within the time prescribed by this Hon'ble Court; and

(ii) a writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the second respondent in Pa.Mu.5844/2018/E6 dated 26.06.2018 and quash the same and consequently direct the respondents No.1 to 5 to permanently stop the illegal extraction of ground water by the respondents No.6 to 8 within corporation limits of Coimbatore.

For the Petitioner : Mr.M.Muthappan
(WP No.20474/18)

No appearance
(WP No.21160/18)

For the Respondents : Mr.T.K.Saravanan
Government Advocate
for Respondents 1 & 2 in
WP No.20474/18 &
Respondents 1, 2 & 5 in
WP No.21160/18



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No appearance
for Respondents 3 to 6 in
WP No.20474/18

Mr.K.M.D.Muhilan
Standing Counsel
for Respondents 3 & 4 in
WP No.21160/18

Ms.R.Divya Preathika
For Mr.R.Bharath Kumar
for Respondents 6 to 8 in
WP No.21160/18

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Muthappan, learned counsel for the petitioner in W.P.No.20474 of 2018, Mr.T.K.Saravanan, learned Government Advocate for the respondents 1 and 2 in W.P.No.20474 of 2018 and respondents 1, 2 and 5 in W.P.No.21160 of 2018, Mr.K.M.D.Muhilan, learned Standing Counsel for the respondents 3 and 4 in W.P.No.21160 of 2018, Ms.R.Divya Preathika, learned counsel for Mr.R.Bharath Kumar, learned counsel for the respondents 6 to 8 in W.P.No.21160 of 2018. None appears for the petitioner in



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2. The prayer in the writ petitions is to direct the official respondents to stop illegal extraction of ground water within the limits of Thiruvallur District, Coimbatore Corporation respectively.

3. In W.P.No.20474 of 2018, permission was granted for six months only. The same is over five years back. Nothing would survive in the writ petition.

4. In W.P.No.21160 of 2018, it is submitted by learned counsel for the respondents 6 to 8 that on or about 22.09.2018, the Corporation officials had put lock to the water tank and sealed it and thereafter, there is no extraction and transportation of the water from the said tank. The private respondents would move the Corporation officials. Be that as it may, the State authority shall make necessary survey if it is not done.

5. In both the writ petitions, order was passed on 03.10.2018 by



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a Division Bench of this Court, recording the undertaking of the respondents 6 to 8 in W.P.No.21160 of 2018 that they were not using the borewell after it was sealed.

6. In the light of that and with the passage of time, now the purpose of the writ petitions would not survive. The writ petitions are, accordingly, disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.24058, 24836, 24837, 24838 of 2018 and 19425 of 2019 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

09.11.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The District Collector
Thiruvallur District, Thiruvallur.
2. The Tahsildar



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3. The Principal Secretary
Municipal Administration and Water Supplies Department
Secretariat, Fort St. George
Chennai 600 009.
4. The District Collector
Office of the District Collector
Coimbatore District, Coimbatore.
5. The Commissioner and Special Officer
Office of the Commissioner and Special Officer
Corporation of Coimbatore
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6. The Deputy Commissioner (General)
North Zone, Corporation of Coimbatore
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7. The Assistant Director (Geology)
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Coimbatore 641 001.



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THE HON'BLE CHIEF JUSTICE
AND
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(kpl)

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