



W.P.No.19875 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

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V.Kandasamy

.. Petitioner

Vs

- 1.The District Collector,
Office of the Collectorate,
Salem District.
- 2.The Executive Engineer,
Public Works/Water Resources,
Sarabanga Basin Division,
Shevapet,
Salem-636 002.
- 3.The Executive Engineer,
TNEB Operation and Maintenance,
Salem South,
Salem-636 002.
- 4.The Block Development Officer,
Veerapandi Union, Veerapandi,
Salem South Taluk,
Salem-637 505.



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5.The Block Development Officer,
Vennandur Union,
Vennandur,
Rasipuram Taluk,
Namakkal District-637 505.

6.The Tahsildhar,
Salem South,
Salem South Taluk,
Salem-636 010.

7.The Tahsildhar,
Rasipuram Taluk,
Namakkal-637 408.

8.G.Gunasekaran

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 7 to take necessary and immediate action against the 8th respondent for illegal drawing of water from Thirumanimutharu River by pipelines from Survey No.108, Chennagiri Village in Salem South Taluk of Salem District based on the petitioner's representation/objection dated 17.5.2023.

For the Petitioner : Mr.J.Jayan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 7



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: Mr.R.Nalliyappan
for respondent No.8

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.J.Jayan, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 7; and Mr.R.Nalliyappan, learned counsel for the eighth respondent.

2. Learned counsel for the petitioner submits that the eighth respondent is illegally drawing water from Thirumanimutharu River by pipelines from Survey No.108, Chennagiri Village in Salem South Taluk of Salem District.

3. A status report is filed by the fourth respondent, i.e., the Block Development Officer. It is submitted that the eighth respondent is drawing water from the well in his own patta land. The lands in Survey Nos.108 and 218 are patta lands and the eighth



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respondent is not drawing water from the river. The said status report is placed on record.

4. Learned counsel for the eighth respondent also submits that the eighth respondent is not drawing water from river and the open well is situated in his patta land.

5. It is for the government authorities to supervise that the unregulated water is not drawn from the river.

In view of the status report filed by the fourth respondent, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.19217 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sasi



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THE HON'BLE CHIEF JUSTICE
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