



WP No.25804 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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S.Baskar

.. Petitioner

-VS-

1. The Secretary to the Government
of Tamil Nadu, Public Works (R2),
Department, St. Fort George,
Chennai 600 009.
2. The Chief Engineer,
Public Works Department,
Water Research Organization,
State Ground and Surface Water Resource
Data Centre, Taramani, Chennai 600 113.
3. The Executive Engineer,
Water Research Department,
Ground Water Division, Taramani,
Chennai 600 113.
4. The District Collector,
Tiruvallur District, Tiruvallur 602 001.
5. The Revenue Divisional Officer,
Office of R.D.O., Ponneri,
Tiruvallur District 601 204.



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6. The Tahsildar,
Gummudipoondi Taluk,
Tiruvallur District 601 201.

7. The Managing Director,
SIPCOT, No.19-A, Lakshmi
Rukmanipathy Road, Egmore,
Chennai 600 008.

8. The Project Officer,
SIPCOT, Gummudipoondi,
Tiruvallur 601 201.

9. M.Sengaiya

10.Ramesh

11.M/s.Hi-Tech Carbon,

Rep. by its Authorized Signatory

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 8 to restrain the illegalities of the Respondents No.9 to 11 from indulging in exploitation of ground water in Pappankuppam Village, Gummudipoondi Taluk, Tiruvallur District, based on the representation of the petitioner dated 12.06.2023, within a time to be stipulated by this Court.

For the Petitioner : Mr.V.Ramanareddy

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
Assisted by Mrs.R.Anitha,
Special Government Pleader,
for RR 1 to 6
: Mr.Krishna Srinivasan,
Senior Counsel,
for M/s.S.Ramasubramanim & Associates
for R-1 (V/R)

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.V.Ramanareddy, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondent Nos.1 to 6 and Mr.Krishna Srinivasan, learned senior counsel for respondent No.11.

2. The grievance of the petitioner is that the borewell and the land are situated at Gummidipoondi Taluk. The same is a critical area as per the Government notification dated 24.10.2018. The ground survey was done. According to the learned counsel for the petitioner, respondent Nos.9 and 10 are transporting water from the borewell to respondent No.11. The same is not permissible. The learned counsel relies upon the Government Order dated 23.07.2014.

3. The learned senior advocate appearing for respondent No.11 submits that it is under a valid No Objection Certificate that respondent Nos.9 and 10 are transporting water to respondent No.11. Respondent No.11 is an existing industry, as such, even as per the



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Government Order relied by the petitioner, there would be no impediment for transportation of water to the existing industry. It is further submitted that fresh classification has been done by Tamil Nadu Water Supply and Drainage Board in the year 2020 and Gummidipoondi has been categorised in safe category. On this count also, the said G.O. does not apply.

4. The learned State Government Pleader submits that respondent Nos.9 and 10 have been granted No Objection Certificate by the Sub-Collector, Ponneri vide certificate dated 27.11.2004. Using the said certificate, respondent Nos.9 and 10 are transporting the ground water to respondent No.11 company. During inspection, no illegality was found.

In light of the above, there is no merit in the writ petition. The writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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WEB COPY To

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