



W.P.No.28761 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.28761 of 2019

Kumar

..

Petitioner

Vs.

1. The District Collector  
Cuddalore District, Cuddalore.
2. The Tahsildar  
Thittakudi Taluk, Thittakudi  
Cuddalore District.
3. The Commissioner / Block Development Officer  
Mangalore Panchayat Union  
Mangalore, Cuddalore District.
4. The Joint Director  
Town and Country Planning  
Villupuram Region, Villupuram.
5. The Chief Engineer  
Water Resources Department (PWD)  
Ground and Surface Water Resources  
Data Center, Tharamani  
Chennai – 600 113.



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6. The Executive Engineer  
Water Resources Organization  
Public Works Department, Ground Water Division  
Cuddalore, Cuddalore District.
7. The Bureau of Indian Standards (BIS)  
Southern Regional Office  
Post Box No.8920, Campus IV Cross Road  
Tharamani, Chennai – 600 113.
8. The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
Cuddalore, Cuddalore District.
9. The Assistant Executive Engineer  
TANGEDCO/TNEB, O & M  
Thittakudi – 606 106  
Cuddalore District.

10. Murugesan .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 8 to take appropriate action against the illegal water units of the 10<sup>th</sup> respondent, situated in S.No.11/1A2, Edaiseruvai Village, Thittakudi Taluk, Cuddalore District by considering the representation of the petitioner dated 17.08.2019.

For the Petitioner : Mr.M.R.Jothimanian

For the Respondents : Mr.P.Muthukumar  
State Government Pleader  
for R1 to R4 & R6

Mrs.Shanmugavalli Sekar  
Standing Counsel  
for R8



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Mr.M.Varunkumar  
for R9

No appearance for R5 & R7

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.M.R.Jothimanian, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 4 and 6, Mrs.Shanmugavalli Sekar, learned Standing Counsel for respondent 8 and Mr.M.Varunkumar, learned counsel for respondent 9.

2. It appears that after filing the writ petition, the tenth respondent is issued with the No Objection Certificate (NOC) by the Chief Engineer, Water Resources Department (PWD), Ground and Surface Water Resources Data Center, Tharamani. It is also found that the bore-well put in S.No.11/1A2 has been sealed and at present, it is not in use. The status report further states that the company has followed the guidelines and rules at every stage and is functioning without hindrance to any sector.



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3. Since the NOC is already granted, the present writ petition, now, would not survive. It is for the aggrieved party to assail the NOC as may be permissible under law.

4. The writ petition, accordingly, stands dismissed. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

14.12.2023

Index : Yes/No  
Neutral Citation : Yes/No

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4. The Joint Director  
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