



W.P. No.200 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.200 of 2023

A.Airaja

...

Petitioner

versus

1.The Additional Chief Secretary,  
Department of Water Resources,  
Fort St.George, Chennai 9

2.The Additional Chief Secretary,  
Department of Municipal Administration and Water Supply  
Fort St.George, Chennai 9

3.The Managing Director,  
Tamil Nadu Water Supply and Drainage Board,  
Chennai 5

4.The District Collector,  
Perambalur District

5.The District Collector,  
Cuddalore District

6.The Chief Engineer,  
Tamil Nadu Water Supply and Drainage Board,  
Thanjavur 613 403



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7.The Executive Engineer,  
Tamil Nadu Water Supply and Drainage Board,  
Perambalur 621 212.

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 6 and 7 to resist from doing any work in lieu of the impugned order passed by the Government of Tamil Nadu, vide G.O.Ms.No.23 dated 13.02.2020 on the file of the second respondent.

For the Petitioner : Mr.R.Abdul Mubeen,  
for Mr.A.Raja Mohamed

For the Respondents : Mrs.R.Anitha,  
Special Government Pleader,  
for respondents 1 to 5

Mrs.S.Mekhala,  
for respondents 6 and 7

ORDER

(Made by the Hon'ble Acting Chief Justice)

Thiru.A.Ariraja, claiming to be the President of the Water Resources Conservation Committee, Labbaikudikadu Village, Veppur Union, Perambalur District, has filed this writ petition, challenging the order passed by the second respondent in G.O.Ms.23 dated 13.02.2020, wherein the Government has accorded sanction for the combined water supply scheme to 73 Rural habitations in Veppur Union of Perambalur District.



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2. Learned counsel for the petitioner contended that the impugned order was passed by the second respondent in an arbitrary manner, without consulting the people of Labbaikudikadu Village. Since the impugned order deprives their right to water, a temporary committee viz., Water Resources Conservation Committee, has been formed by the people of Labbaikudikadu Village, to address the issues faced by the villagers and the petitioner has been elected as the President of the Committee.

3. The main grievance of the petitioner is that during the year 2011-12 due to scarcity of drinking water in Labbaikudikadu Village, the Government of Tamil Nadu implemented drinking water development projects through Tamil Nadu Water Supply and Drainage Board (TWAD), in consultation with the technical experts. But the said plan was a failure because the chosen area does not have sufficient water transmissibility and water recharging point, and hence, the plan was dropped and withdrawn. At present, the people of Veppur Union, Kunnam Taluk, Perambalur District are struggling to get sufficient drinking water for their daily use. The second respondent, without considering the water level and future needs of Labbaikudikadu Village, and without getting public opinion, has arbitrarily passed the impugned order in G.O.Ms.23 dated 13.02.2020. It is contended that the present proposal, which is sought to be executed, is very close



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to a sugar factory where water loading point is located. Therefore, the impugned order has to be set aside.

4. In reply, Mrs.Anitha, learned Special Government Pleader, appearing for the official respondents submitted that this writ petition has been filed on a selfish motive that by distributing water from the petitioner's village to Veppur Village, his village would suffer in future. In case the petitioner's village suffers from water scarcity in future, the Government will jump-in to solve the issue by proposing another scheme like the one proposed now to Veppur village. Therefore, the apprehension expressed by the petitioner is absolutely untenable and unsustainable in law. Therefore, the writ petition has to be rejected.

5. When people living in a village suffer from water scarcity, it is the duty of the Government to step-in and address the issue on a war footing. No creature: animals, birds, trees or human beings, can live without water. Water is the basic requirement for all the living beings. Therefore, when the Government has come forward to provide water facilities to the villagers living in Veppur Village, instead of appreciating the steps taken by the Government, the petitioner has filed this writ petition with a very narrow mind. We do not find any justification for the petitioner to come to this Court alleging that if water from his village is taken



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through the aforementioned plan, they would be affected in future. There is no scientific evidence produced in support of such a claim.

6. The writ petition fails and the same is dismissed. There will be no order as to costs. Consequently, WMP No.187, 188 and 191 of 2023 are closed.

(T.R., ACJ.) (D.B.C., J.)  
06.01.2023

Index : Yes/No  
Neutral Citation : Yes/No  
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