



W.P(MD)No.3932 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3932 of 2015

and

M.P.(MD)Nos.1 to 3 of 2015

M/s.V.D.K.M.Aqua Industries,
Represented by V.D.K.M.Lakshmanan,
Plot No.11,12, Visalakshi Nagar,
Madurai Main Road,
Ponnamaravathy,
Pudukkottai District.

... Petitioner

Vs.

1.The Secretary to Government of Tamilnadu,
Public Works (R2) Department,
St. Fort George,
Chennai-600 009.

2.The Central Ground Water Board,
Government of India,
Ministry of Water Resources,
South Eastern Coastal Region,
Rep. by its Regional Director,
E-1, G-Block Rajaji Bhavan,
Besant Nagar,
Chennai-600 090.

3.The Chief Engineer,
Public Works Department,
Water Research Organization,
State Ground and Surface



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Water Resources Data Centre,
Taramani, Chennai-600 113.

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4.The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai.

5.The Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the entire records in connection with the impugned orders made in G.O. Ms. NO. 52 Public Works (R2) Department dated 02.03.2012 as well as the G.O. Ms. No. 142 Public Works (R2) Department dated 23.07.2014 of the first respondent besides the consequential order made in Lr. No. OT 9/DD (G) / NOC/2014 dated 04.09.2014 of the 3rd respondent and quash the same.

For Petitioner : Mr.D.Ramesh Kumar

For Respondents : Mr.M.GA.Nataraj
Government Advocate for R1 & R3
: Mrs.Vijayakumari Natarajan
Standing Counsel for R4 & R5
: no appearance for R2

ORDER

Heard both sides.



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2. The petitioner challenges G.O. Ms. NO. 52 Public Works (R2) Department dated 02.03.2012 as well as G.O. Ms. No. 142 Public Works (R2) Department dated 23.07.2014 along with Lr. No. OT 9/DD (G) / NOC/2014 dated 04.09.2014 issued by the Public Works Department, Water Research Organization, Chennai.

3. The issue raised in the writ petition is no longer *res integra*. The validity of the said G.O.Ms.No.142, Public Works (R2) Department, dated 23.07.2014 had already been upheld vide order dated 03.10.2018 in W.P. (MD)No.28535 of 2014 etc., batch. Nothing survives for further adjudication. The validity of the impugned G.O alone has been sustained. It is always open to the petitioner to move this Court again for ventilating their grievance.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

14.08.2023

Index : Yes / No

Internet : Yes/ No

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To

1.The Secretary to Government of Tamilnadu,
Public Works (R2) Department,
St. Fort George,
Chennai-600 009.



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2.The Chief Engineer,
Public Works Department,
Water Research Organization,
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