



WEB COPY



WP No.6776 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HON'BLE MR.D. KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

WP No.6776 of 2021

T.Sankar

... Petitioner

versus

- 1.The District Collector,
Office of the District Collector,
Thanjavur District-613 010.
- 2.The Chief Engineer,
Public Works Department,
Ground Water Division,
Tharamani, Chennai-600 113.
- 3.The Chairman,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai -600 032.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Door No.3, 4th Cross Street,
Sri Ram Nagar, Reddipalayam Road,
Thanjavur -613 004.

1/12



WP No.6776 of 2021

5.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO) Thanjavur-613 007.

6.Sri Ammanfoods
Represented by its Managing Director,
23/3D, Panaiyur Road,
Kaduveli Thiuvaaiyaru (Tk), Thanjavur-613204.

7.Ambal Aqua
Represented by its Managing Director,
207 5 Main Road Ottangadu,
Pattukottai Block,
Thanjavur 614803.

8.Amman Waters,
Represented by its Managing Director,
94/10, Vilar Main Road, Vilar Village,
Thanjavur 613 001.

9.Amman Aqua Products
Represented by its Managing Director,
92/4, Valayapatti Village,
Kumbakonam Block Tk Thanjavur- 612 702.

10.A.G.Water Company
Represented by its Managing Director,
64/3, 64/4, Thandanthottam
Panchayat, Kumbakonam Tk, Thanjavur 612204

11.Solar Aqua Minerals
Represented by its Managing Director
19/7A & 7C, Ettivayal Village
Sethubavasamuthiram Block,
Andikkadu Post, Pattukottai Tk Thanjavur- 614232.



WP No.6776 of 2021

12.Arul Food Products,

Represented by its Managing Director,
No.25, Kalaivanar Nagar Kattur,
Thiruchirappalli 620 019.

13.Nova Aqua Tech,

Represented by its Managing Director,
90/4, Thiyagi Celladurai Nagar,
Nanjikottai,
Thanjavur 613006.

14.Vinayaga Food Products,

Represented by its Managing Director,
106/A, Pannavayal Road,
Pattukottai, Thanjavur -614601.

15. Riche Beverages

Represented by its Managing Director,
3/351, Main Road, Parakalakottai,
Village, Pattukottai, Tk Thanjavur -614613.

16.S.R.K Aqua Products

Represented by its Managing Director,
123 B2, 3, 4, Rajaviduthi Thirvonam Block,
Orathanaud, Tk Thanjavur -614614.

17.OM Industries,

Represented by its Managing Director,
96/2B Puthupadaiyur Village Main Road,
Kumbakonam-612001.

18.Anu Aqua Products,

Represented by its Managing Director,
308/1B, Krishnapuram Village,
Kumbakonam Tk 612302.



WP No.6776 of 2021

19. Triple Aqua Products,
Represented by its Managing Director,
113/2, Vallam Orathanadu Road,
Marungulam, Thanjavur 613006.
20. Rich Farm Products,
Represented by its Managing Director,
182/1, Periyar Nagar Vallam- 613403.
21. Sri Guru Water,
Represented by its Managing Director,
27-D, Besant Road,
Kumbakonam-612302.
22. Anbu Minerals Water,
Represented by its Managing Director,
277/2, 277/3, North Street,
Thiruvalanzuli, Kumbakonam -612302.
23. A.G. Minerals,
Represented by its Managing Director,
2, Dr.JJ Martin Complex, Mission Church Road,
Thanjavur -613001.
24. Anam Marketing,
Represented by its Managing Director,
TS 2050, 2051 By pass Road,
Palliagraharam, Thanjavur- 613003.
25. Water Cure Products,
Represented by its Managing Director,
Keerthana Water Products,
134b/10, Plot 3 & Kamakoti Nagar Pillayarpatti-613403.



WP No.6776 of 2021

26. Krish Water Company
Represented by its Managing Director,
Papanasam Main Road,
Thiupalathurai Papanasam Tk,
Thanjavur- 627425.
27. Masil Aqua,
Represented by its Managing Director,
No.321/1, 1st Cross Street Masil Nagar,
Thiruvisanallur, Thiruvudaimarudur Tk,
Thanjavur -612 105.
28. Vishwa's Minerals & Botling,
Represented by its Managing Director,
Company No.95/4, Kallur Village,
Kumbakonam-612503.
29. Pure One Products,
Represented by its Managing Director,
2/372, Main Road, Baburajapuram,
Kumbakonam-612302.
- 30.3 Tech Aqua Industries,
Represented by its Managing Director,
Sadaiyar Koil Road,
Thirubuvanam, Saliyamangalam,
Papanasam Tk, Thanjavur-613 504.
31. Solympic Sprink Drinking Water Company,
Represented by its Managing Director,
Es Pattukottai Road,
Adhirampattinam,
Thanjavur-614 701.



WP No.6776 of 2021

32. Transparency Minerals Pvt. Ltd.
Represented by its Managing Director,
2/1a, Anna Nagar, Sundaraperumalkoil,
Kumbakonam Tk, Thanjavur 612 302.
33. Then Aqua & Beverages,
Represented by its Managing Director,
22/A, Thiruppanipettai Keela Salai,
Thiruvidaimarudur-612 104.
34. GS Products,
Represented by its Managing Director,
3/780, Nadu Salai,
Mangudi Village,
Valayapettai, Thanjavur-612 702.
35. Soundarya Aqua Products,
Represented by its Managing Director,
7a, Cidco Industrial Estate
Nanjikottai Village, Thanjavur -613 006.
36. Mahalakshmi Water Plant,
Represented by its Managing Director,
No.6/1425-3,
Chettimandapam Bypass Road,
Koranattu, Karuppur,
Kumbakonam (Tk),
Thanjavur- 612 401.
37. Keerthana Water Products,
Represented by its Managing Director,
Plot No.3 & 4, Kamakodi Nagar,
Pillyarpatti, Thanjavur - 613403.



WP No.6776 of 2021

WEB COPY

38. Shanmuga Aqua Industries,
Represented by its Managing Director,
No.2a/2891, Srinivasa Pillai Road,
Thanjavur-613001.

39. Jeneffers Beverages,
Represented by its Managing Director,
163B/10B & 163C/3&4A,
Matha Koil Street Mappilai Naicken,
Patti Ravusapatti, Thanjavur- 613403.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the respondents 1 to 5, to take immediate action to; restrain the operation of all the illegal water manufacturing units in the District of Tanjore, including respondents 6 to 39, for operating without required permission from the Public Works Department and Consent (Under the Air and Water Act) from the Tamil nadu Pollution Control Board.

For the Petitioner

:Mr. Md.Arshadullah Sheriff

For the Respondents

:Mr.K.Karthik Jaganath
Government Advocate
for respondents 1 and 2
Mrs.Shanmugavalli Sekar
Standing Counsel
for TNPCB
for respondents 3 and 4
Mr.J.Madhu
for respondents 9 to 11, 13 to 17, 19,

24,

27, 28, 34, 37, 39
Mr.D.B.R.Prabhu
Standing Counsel TNBB

7/12



WP No.6776 of 2021

for fifth respondent

No appearance- respondents 6, 7, 8,

18, 20, 22, 25, 26, 29, 30, 35 and 36

Not ready Reg respondents 21, 23, 31

33 and 38

12,

to

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed for a direction to the respondents 1 to 5, to take immediate action to restrain the operation of all the illegal water manufacturing units in the District of Tanjore, including respondents 6 to 39, for operating without required permission from the Public Works Department and Consent (Under the Air and Water Act) from the Tamil nadu Pollution Control Board.

2. A counter-affidavit has been filed by the Tamil Nadu Pollution Control Board on 29.09.2021. In paragraph Nos.9 and 10 of the said counter affidavit, it is stated as follows:

"9. It is respectfully submitted that the present status of the Water Packaging Industries



WP No.6776 of 2021

who have been included as respondents in WP No.6776 of 2021 vide Sl.No.6 to 39 except Sl.No.12 is as follow. The bore wells of all the respondent industries are in sealed condition by the Public Works Department Ground Water Division based on the decision of the District level monitoring committee.

10.respondent industries vide Sl.No.8,10,13,14,16,17,19,21,22,23,24,25,26,27, 28, 30, 31, 35 and 37 have applied for consent of the Board under the Water (P&CP) Act 1974 and the Air (P&CP) Act 1981 and the applications have been returned for want of valid No Objection Certificate from PWD for the drawl of ground water. The respondent industries vide Sl No.6,7,9,11,15,18,36,38 and 39 have not applied for consent of the Board so far. It is submitted that as and when the consent application is made, the same will be considered in accordance with law."

3. In such circumstances, the prayer as sought for in the writ petition has become infructuous. Hence, the writ petition stands dismissed as infructuous. For any other relief, it is for the petitioner to work out his remedy before the appropriate forum. There shall be no order as to costs.

(D.K.K., ACJ.) (K.B., J.)
25.07.2024



WP No.6776 of 2021

Index : Yes/No

Neutral Citation : Yes/No

mrn

To

- 1.The District Collector,
Office of the District Collector,
Thanjavur District-613 010.
- 2.The Chief Engineer,
Public Works Department,
Ground Water Division,
Tharamani, Chennai-600 113.
- 3.The Chairman,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai -600 032.
- 4.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Door No.3, 4th Cross Street,
Sri Ram Nagar, Reddipalayam Road,
Thanjavur -613 004.
- 5.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.
(TANGEDCO) Thanjavur-613 007.



WEB COPY



WP No.6776 of 2021

THE HON'BLE ACTING CHIEF JUSTICE
and
K.KUMARESH BABU,J.

(mrn)

WP No.6776 of 2021

25.07.2024

11/12



WEB COPY



WP No.6776 of 2021