



WP No.29985 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.29985 of 2019
and WMP No.29887 of 2019

N.Sudandiran

.. Petitioner

-VS-

1. State Government of Tamil Nadu,
through its Chief Secretary,
Government of Tamilnadu,
Fort St. George, Chennai.
2. Principal Secretary to Government,
Municipal Administration and Water Supply
Department, Government of Tamilnadu,
6th Floor, Ezhilagam (Annexe Building),
Chepauk, Chennai 600 005.
3. The Managing Director,
Tamilnadu Water Supply and Drainage Board,
31, Kamarajar Salai, Chepauk,
Chennai 600 005.
4. The Chief Engineer,
Western Region, TWAD Board,
46, Bharathi Park Road, Tamilnadu 641043.



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5. The Executive Engineer,
TWAD Board, 21-H, K.G.Lay Out,
Bharathi Park 8th Cross, Coimbatore 641011.
6. The District Collector,
Coimbatore 641 018.
7. Commissioner,
Municipal Corporation, Coimbatore 641 001. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the issue of the letter No.30518/mu,Tha.Pi./u.po.3/thi.Me,Pi,/2018 dated 14.05.2018 of the respondent 3 and the communication No.84898 dated 09.11.2018 of the Chief Minister's Cell and quash the same and consequently direct the respondent-3 to examine, on file, the alternatives proposed in various representations including the one dated 03.07.2018 and take considered decision to draw water from the alternate sites proposed by the petitioners.

For the Petitioner : Mr.E.Maragatha Sundar

For the Respondents : Mr.T.K.Saravanan,
 Government Advocate
 for RR 1 , 2 and 6
 : Mr.Om Prakash
 Senior Counsel
 for M/s.S.Shahila Bhanu for RR 3 to 5

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.E.Maragatha Sundar, learned counsel for the petitioner, Mr.T.K.Saravana, learned Government Advocate for respondent Nos.1, 2 and 6 and Mr.Om Prakash, learned senior counsel for respondent Nos.3 to 5.

2. The present writ petition is filed challenging the communications dated 14.05.2018 and 09.11.2018 and to direct respondent No.3 to examine the alternatives suggested by the petitioner in his representations.

3. The case of the petitioner is that the respondents want to execute the third water supply project for Coimbatore spending Rs.1018 crores from a point where adequate water supply is not available and without exploring the alternative sources suggested by the people of the said area. The justification given for the said project is unfounded.



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4. The learned Senior Advocate for respondent Nos.3 to 5 submits that all three phases of the project are completed and the project has been inaugurated and it would cater to the needs of large number of persons. The same would be covering about 75 km area.

5. Once the scheme is already implemented, no purpose would be served by entertaining the present petition. The stage is irreversible. It would be in nobody's interest to set the clock back. The scheme is a public welfare scheme and for the benefit of the people at large.

In light of the above, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(D.B.C., J.)

26.03.2024

Index : Yes/No

Neutral Citation : Yes/No

sra



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