



WMP(MD) No.6667 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Sixteenth day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice G. ARUL MURUGAN

WMP(MD) No.6667 of 2024

IN

WMP(MD) No.11652 of 2024

in

WP(MD) No.13822 of 2023

THE COMMISSIONER OF MUNICIPALITY,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

... Petitioner / 6th Respondent

Vs

1 KARUPAIAH M
2 KASINATHAN
3 PARAMESHWARAN

... Respondents 1 to 3 / Petitioners

4 THE DISTRICT COLLECTOR
PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI

5 THE SUPERINTENDING ENGINEER
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
NADUKKAVERI MIDDLE DIVISION,
TRICHY REGION.



WMP(MD) No.6667 of 2024

6 THE EXECUTIVE ENGINEER
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
SOUTH VELLAR BASIN,
PUDUKKOTTAI DISTRICT.

7 THE REVENUE DIVISIONAL OFFICER,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT.

8 THE TAHSILDAR
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT.

... Respondents 4 to 8 / Respondents 1 to 5

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to vacate the interim injunction order dated 19.06.2023 IN W.MP(MD).No.11652 OF 2023 IN W.P(MD).No.13822 OF 2023.

WMP(MD) No.11652 of 2023:

1 KARUPAIAH
2 KASINATHAN
3 PARAMESHWARAN

... Petitioners

Vs

1 THE DISTRICT COLLECTOR
PUDUKKOTTAI DISTRICT,
PUDUKKOTTAI

2 THE SUPERINTENDING ENGINEER
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
NADUKKAVERI MIDDLE DIVISION,
TRICHY REGION



WMP(MD) No.6667 of 2024

3 THE EXECUTIVE ENGINEERING
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
SOUTH VELLAR BASIN,
PUDUKKOTTAI DISTRICT

4 THE REVENUE DIVISIONAL OFFICER,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

5 THE THASILDAR
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

6 THE COMMISSIONER OF MUNICIPALITY,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

... Respondents

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order of interim injunction restraining the respondents to drill the 10 Bore Wells in S.Nos. 381 and 228 South Vellar River at Aalapiranthan Village, Aranthangi Taluk, Pudukkottai District pending disposal of the above writ petition.

Prayer in WP(MD). 13822/ 2023 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the 6th respondent from drilling and exploiting water from the 10 Bore Wells in S.Nos. 381 and 228 South Vellar River at Aalapiranthan Village, Aranthangi Taluk, Pudukkottai District.



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ORDER: This writ miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.KAMESWARAN S, Advocate for the petitioner and of Mr.R.PARANJOTHI, Advocate on behalf of the Respondent Nos.1 to 3 and of Mr.P.THILAKKUMAR, Government Pleader on behalf of the Respondent Nos.4 to 8, the Court made the following order:-

[Order of the Court was made by R.SURESH KUMAR, J.]

We have gone through the report filed by the Superintending Engineer, Water Resources Department, Nadukkaveri Middle Division, Trichy Region, where inter alia, he has stated that the Aranthangi Taluk, where there is a proposal to dig bore well, has come under the safe zone, where the extraction of the water is less than 70%.

2.When that being so, there cannot be any plausible objection on the part of the petitioner for the work of digging bore well, which is meant for providing drinking water to the people, who are residing in the Aranthangi Municipal area.

3.In that view of the matter, we are inclined to vacate the interim order passed by this Court dated 19.06.2023 in W.M.P.(MD)No.11652 of 2023 in W.P.(MD) No.13822 of 2023. Accordingly, this Vacate Stay petition in W.M.P.(MD)No.6667 of 2024 is allowed and injunction petition in W.M.P.(MD)No.11652 of 2023 is dismissed.



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4.Post the main Writ Petition for hearing in usual course.

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sd/-
16/07/2024

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/07/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

YUVA

To

1 THE DISTRICT COLLECTOR
PUDUKKOTTAI DISTRICT, PUDUKKOTTAI

2 THE SUPERINTENDING ENGINEER
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
NADUKKAVERI MIDDLE DIVISION,
TRICHY REGION

3 THE EXECUTIVE ENGINEERING
WATER RESOURCES DEPARTMENT AND
TAMIL NADU DRINKING AND DRAINAGE BOARD,
SOUTH VELLAR BASIN,
PUDUKKOTTAI DISTRICT

4 THE REVENUE DIVISIONAL OFFICER,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

5 THE THASILDAR
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT



WMP(MD) No.6667 of 2024

6 THE COMMISSIONER OF MUNICIPALITY,
ARANTHANGI TALUK,
PUDUKKOTTAI DISTRICT

ORDER
IN
WMP(MD) No.6667 of 2024
IN
WMP(MD) No.11652 of 2024
in
WP(MD) No.13822 of 2023
Date :16/07/2024

ED/ GS /SAR- (29/07/2024) 6P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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