



W.P(MD)No.16154 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.16154 of 2024
and
W.M.P.(MD)No.14042 of 2024

S.K. Vairappan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Thanjavur District.
- 2.The District Collector,
Collectorate,
Thiruvarur District.
- 3.The Director,
Mines and Minerals Department,
Thanjavur District.
- 4.The Executive Engineer,
Public Works Department
(Water Resources Management),
Thanjavur District.
- 5.The Tahsildar,
Taluk Office,



W.P(MD)No.16154 of 2024

Pattukottai Taluk,
Thanjavur District.

6.The Block Development Officer,
Pattukkottai Panchayat Union,
Pattukottai Taluk,
Thanjavur District.

7.The Director,
Pollution Control Board,
Thanjavur District.

8.The Panchayat President,
Thambikkottai Vadakadu Village Panchayat,
Pattukottai Taluk, Thanjavur District.

9.M/s.K.A.M.Mines and Minerals,
Represented by its Proprietor,
Muthukumar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 8 to initiate appropriate measures to protect the drinking water open well situate in SR.No.72/3 Situate at Thuraikadu Village tiruvarur District from being polluted by the salty water intruding from the quarry operation done by the 9th respondent in SR No.187/1G and 200/1A, situate at Thambikkottai Vadakadu Village Pattukottai Taluk, Thanjavur District and also direct the respondents 1 to 8 to initiate appropriate enquiry pertaining to the violation in granting quarry license to the 9th respondent herein by considering petitioner's representation dated 09.07.2024.



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W.P(MD)No.16154 of 2024

For Petitioner : Mr.K.Balasundaram, Senior Counsel,
For M/s.KBS Law Office.

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader for R1 to R5.
Mr.P.Thilak Kumar,
Government Pleader for R6 & R8.
Mr.Ajmalkhan, Senior Counsel,
For M/s.Ajmal Associates for R9.

ORDER

Heard learned senior counsel for the writ petitioner, the learned Additional Government Pleader for the official respondents and the learned senior counsel for the ninth respondent.

2.The petitioner's target is the quarry run by the ninth respondent. The learned senior counsel for the petitioner states that the quarry is located within the prohibited distance from the petition mentioned drinking water open well. Rule 36 states that the distance should be not less than 50 meters. The learned Additional Government Pleader on instructions asserts that the distance between the well and the quarry site would be 500 meters. It is clearly beyond prohibited distance. Only if



W.P(MD)No.16154 of 2024

there is any statutory violation, this Water Body Bench can interfere and not otherwise.

3.The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S.J.) & (B.P.J.)
18.07.2024**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The District Collector,
Collectorate,
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Collectorate,
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- 3.The Director,
Mines and Minerals Department,
Thanjavur District.
- 4.The Executive Engineer,
Public Works Department
(Water Resources Management),
Thanjavur District.



W.P(MD)No.16154 of 2024

5.The Tahsildar,
Taluk Office,
Pattukottai Taluk,
Thanjavur District.

6.The Block Development Officer,
Pattukkottai Panchayat Union,
Pattukottai Taluk,
Thanjavur District.

7.The Panchayat President,
Thambikkottai Vadakadu Village Panchayat,
Pattukottai Taluk, Thanjavur District.



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W.P(MD)No.16154 of 2024

**G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.**

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W.P(MD)No.16154 of 2024

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