



W.P.No.40815 of 2002

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.40815 of 2002

Sakthi Sugars Limited,
180, Race Course Road,
Coimbatore – 641 018,
Represented by its Deputy General
Manager (Legal and Taxation),
Mr.P.Sankararaja Pandian

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Secretary to Government,
Public Works Department,
Fort St.George,
Chennai – 600 009.

2.The Superintending Engineer
Water Resources Organisation,
P.W.D.
Bhavani Sagar – 638 451.

3.The Executive Engineer,
Public Works Department,
Bhavanisagar Dam Circle,
Bhavanisagar – 638 451.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorari calling for the records pertaining to
proceeding bearing K.No.va.pa/VA2/Ko160C16/236m dated



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04.05.2001 passed by the second respondent and quash the same.

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For Petitioner : Mr.Jayesh B.Dolia
Senior Counsel
for M/s.Aiyar & Dolia
For Respondents : Mrs.S.Anitha
Special Government Pleader

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorari calling for the records pertaining to proceeding bearing K.No.va.pa/VA2/Ko160C16/236m dated 04.05.2001 passed by the second respondent and quash the same.

2.The learned Senior Counsel appearing for the petitioner submitted that the petitioner entered into agreement with the respondent on 16.04.1964 for drawal of water from River Bhavani for a period of ten years from 16.04.1964 and thereafter it was periodically renewed and the last renewal was made on 31.01.1992. Whiles the second respondent passed the impugned order directing the petitioner to pay a sum of Rs.20,45,848/- towards arrears of water charges from 1964 – 65 to 1999 – 2000 along with interest to the tune of Rs.78,60,482/-, totally, a sum of Rs.99,06,330/-.



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3.The learned Senior Counsel appearing for the petitioner further submitted that this Court granted conditional interim order dated 12.11.2002 in W.P.M.P.No.60463 of 2002 in W.P.No.40815 of 2002, pursuant to which, the petitioner paid a sum of Rs.6 Lakhs by way of demand draft dated 09.12.2002 drawn in favour of the third respondent. The learned Senior Counsel further submitted that the petitioner is ready to pay the balance amount of Rs.14,45,848/- towards arrears of water charges and further submitted that the issue with regard to the interest to the tune of Rs.78,60,482/- is pending in W.A.No.405 of 2006 before the Hon'ble Division Bench of this Court and further submit that this Court may grant liberty to the respondents to make fresh demand in respect of interest alone if the respondents succeed in W.A.No.405 of 2006.

4.Considering the limited relief now sought for by the learned Senior Counsel appearing for the petitioner, this Court without expressing any opinion on the merits of the case, directs the petitioner to deposit the balance amount of Rs.14,45,848/- towards arrears of water charges, before the second respondent, within a period of two weeks from the date of receipt of a copy of this order. Since the issue



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with regard to the interest to the tune of Rs.78,60,482/- is pending in W.A.No.405 of 2006 before the Hon'ble Division Bench of this Court, this Court grants liberty to the second respondent to make fresh demand in respect of interest alone, if the respondents succeed in W.A.No.405 of 2006.

5.The writ petition is disposed of. No costs.

06.11.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.State of Tamil Nadu,
Represented by its Secretary to Government,
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Chennai – 600 009.

2.The Superintending Engineer
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3.The Executive Engineer,
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M.DHANDAPANI,J.
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