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W.A. Nos.378 and 472 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

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THE HONOURABLE MR. JUSTICE **S.M.SUBRAMANIAM**
AND
THE HONOURABLE MR. JUSTICE **MOHAMMED SHAFFIQ**

W.A. Nos.378 and 472 of 2023
and
C.M.P. No.4489 of 2023 in W.A.No.472 of 2023

W.A. No.378 of 2023

M/s.Maruthi Distilleries Pvt. Ltd.,
rep. By its Managing Director
Mr.E.Mohan Kumar,
S/o.L.P.S.Elangovan,
18/380, Kongu Nagar,
Muthur Road, Vellakoil,
Kangayam Taluk, Tiruppur District.

... Appellant

Vs.

1.P.Senthil Kumar

2.The Union of India
rep. By its Secretary to Government,
Ministry of Water Resources,
New Delhi.

3.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
State Ground and Surface Water
Resources Data Centre,
Taramani, Chennai – 600 113.

4.The District Magistrate/

Page 1 of 8



W.A. Nos.378 and 472 of 2023

District Collector,
Tiruppur, Tiruppur District.

5.The Inspector of Mines,
Tiruppur, Tiruppur District.

... Respondents

W.A. No.472 of 2023

1.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
State Ground and Surface Water
Resources Data Centre,
Taramani, Chennai – 600 113.

2.The District Magistrate/
District Collector,
Tiruppur, Tiruppur District.

3.The Inspector of Mines,
Tiruppur, Tiruppur District.

... Appellants

Vs.

1.P.Senthil Kumar

2.The Union of India
rep. By its Secretary to Government,
Ministry of Water Resources,
New Delhi.

M/s.Maruthi Distilleries Pvt. Ltd.,
rep. By its Managing Director
Mr.E.Mohan Kumar,
S/o.L.P.S.Elangovan,
18/380, Kongu Nagar,
Muthur Road, Vellakoil,
Kangayam Taluk, Tiruppur District.

... Respondents



W.A. Nos.378 and 472 of 2023

Writ Appeals filed under Clause 15 of Letters Patent against the order dated 27.01.2023 made in W.P. Nos.14655 of 2011.

W.A.No.378 of 2023

For Appellants : Mr.T.Murugamanickam,
Senior Counsel
for Mr.K.Govi Ganesan

For Respondents : Mr.N.Manokaran for R1
Mr.C.Samivel,
Senior Panel Counsel for R2
Mr.P.Kumaresan,
Additional Advocate General
assisted by
Mr.S.Senthil Murugan,
Special Government Pleader
for R3 to R5

W.A.No.472 of 2023

For Appellants : Mr.P.Kumaresan,
Additional Advocate General
assisted by
Mr.S.Senthil Murugan,
Special Government Pleader

For Respondents : Mr.N.Manokaran for R1
Mr.C.Samivel,
Senior Panel Counsel for R2
Mr.T.Murugamanickam,
Senior Counsel
for Mr.K.Govi Ganesan for R3

COMMON JUDGMENT

(Judgment of the Court was delivered by *S.M.SUBRAMANIAM, J.*)

Under assail is the writ order dated 27.01.2023 passed in W.P. Nos.14655 of 2011.



W.A. Nos.378 and 472 of 2023

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2. With reference to the grievances raised by the first respondent/writ petitioner, it would suffice if the Chief Engineer, Public Works Department, Water Resources Organisation, Chennai, is directed to conduct fresh inspection of the premises belongs to M/s.Maruthi Distilleries Pvt. Ltd./appellant in W.A.No.378 of 2023.

3. Extraction of ground water for commercial purposes are now being regulated by the State. Thus persons involved in the trade have to obtain necessary licence and to be granted strictly in accordance with the regulations. Government issued number of orders periodically and finally issued G.O.(Ms).No.36 Water Resources (R1) Department dated 18.07.2025. As per the regulations, dynamic ground water resource assessment has to be made by the competent authorities for the purpose of grant of licence to the applicants seeking permission to extract ground water for commercial purposes.

4. In the present case, the writ petitioner/first respondent made allegations that licence was granted in violation of regulations as subject area has been classified as 'over exploited area'. Learned counsel for writ petitioner/first respondent says that no permission can be granted in the said locality under the Government Order. However, this Court is of the considered



W.A. Nos.378 and 472 of 2023

view that current situation assessment has to be made by the authorities for the purpose of verifying the correctness of the licence granted to M/s.Maruthi Distilleries Pvt. Ltd./appellant in W.A.No.378 of 2023.

5. In view of the facts and circumstances of the case, the Chief Engineer, Public Works Department, Water Resources Organisation, State Ground and Surface Water Resources Data Centre, Taramani, Chennai – 600 113 is directed to make dynamic ground water resource assessment afresh in that locality and find out, whether permissions granted to extract ground water for commercial purposes are in accordance with the Government Order in force. In the event of any irregularity or illegality, all appropriate actions are to be initiated by following procedures. The said exercise is directed to be completed within a period of one month from the date of receipt of a copy of this order.

6. Writ Court in paragraph No.21 of the order impugned, directed the Chief Engineer, Public Works Department, Water Resources Organisation, State Ground and Surface Water Resources Data Centre, Taramani, Chennai – 600 113 to undertake the assessment of all presently functioning commercial water bottling units and ensure that their renewals are in line with the prevalent State water management policies as well as applicable Government Orders. The said exercise is to be undertaken by the Chief



W.A. Nos.378 and 472 of 2023

Engineer as per the Government Orders. Learned Additional Advocate General would submit that after completion of assessment, Government Orders are also passed. However, the Chief Engineer need not file a report in this regard before the Court since writ appeals are disposed of by this common order but the authorities are expected to follow the procedure scrupulously.

7. With the above observations, these writ appeals stand disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[S.M.S, J.] [M.S.Q, J.]
29.10.2025

Index:Yes/No
Neutral Citation:Yes/No
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To
1.The Secretary to Government,
Ministry of Water Resources, New Delhi.

2.The Chief Engineer,
Public Works Department,
Water Resources Organisation,
State Ground and Surface Water
Resources Data Centre,Taramani, Chennai – 600 113.

3.The District Magistrate/
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Tiruppur, Tiruppur District.



W.A. Nos.378 and 472 of 2023

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W.A. Nos.378 and 472 of 2023

**S.M.SUBRAMANIAM, J.
AND
MOHAMMED SHAFFIQ, J.**

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W.A. Nos.378 and 472 of 2023

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