



W.P.No.16417 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.16417 of 2025
& W.M.P.No.18553 of 2025

1. V. Kamachisundram,
S/o. Vaiyapuri,
2/68, Chettiar Street,
30 Pallipatti,
Belukuruchi,
Namakkal - 637 402.

2. Ramasamy,
S/o. Palaniyappan,
11/293, Kuruman Kuttai Kadu,
Palaniyappar Kovil Road,
Belukumchi,
Namakkal -637 402.

3. Duraisamy,
S/o.Nanjudeswaran,
11/161, Palaniyappar Kovil Theru,
Belukuruchi,
Namakkal - 637 402.

4. Chandiran,
S/o. Senkottaiyan,
5/24 East Kattukottai,
30 Pallipatti,
Belukuruchi,
Namakkal - 637 402.



W.P.No.16417 of 2025

5. Anbalagan,
S/o.Elayappagounder,
5/21, East Kattukottai,
Pallipatti,
Namakkal - 622 402.

... Petitioners

/versus/

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Public Works Department,
Fort St. George,
Chennai- 600 002.

2. The District Collector,
1st Floor, Collectorate,
Tiruchengode Road,
Namakkal- 637 003.

3. The Tamil Nadu Pollution Control Board,
Rep by its Member Secretary,
No. 76, Mount Salai, Guindy,
Chennai- 600 032.

4. The Junior Engineer,
TANGEDCO,
Belukumchi Village,
Sendamangalam Taluk,
Namakkal- 637 402.

5. Mani @ Ramasamy,
S/o.Elayappagounder,
Palaniyappar Kovil Theru,
Belukumchi post,
Sendamangalam Taluk,
Namakkal-637 402.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India



W.P.No.16417 of 2025

praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to take action against the 5th respondent for illegal extraction of ground water from the bore wells and well located on the agricultural land situated in S.Nos.329 and 331/1 of Belukuruchi village, Palaniyappar kovil street, Sendamangalam Taluk, Namakkal District and to restrain him from permanently extracting ground water through the borewells and well located on the said premises by using electricity service connection and transporting the same for commercial purposes by considering the petitioners representation dated 25.1.2025.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.S.Senthil Murugan,
Special Government Pleader, for R1 & R2
: Mr.L.Jaivenkatesh,
(TANGEDCO), for R4

ORDER

The writ petition is filed for a mandamus, directing the respondents 1 to 4 to take action on the 5th respondent for illegal extraction of the groundwater from the borewells.

2. The grievance of the petitioner is that when the water is extracted in the guise of agricultural activity, the same is sold to commercial organisations.



W.P.No.16417 of 2025

WEB COPY

3. When the matter came up for hearing, the Learned Special Government Pleader for the respondents on instructions would submit that the District Environmental Engineer has conducted inspection and found that there is no such commercial activity.

4. In view thereof, the writ petition is disposed of the following terms:

(i) The petitioner has made a representation on 25.01.2025. In pursuance to the petitioner's application, the inspection is made by the second respondent and findings are made, then suitable reply can be issued to the petitioner so that, the petitioner can take recourse in the manner to law.

(ii) The 3rd respondent/Tamil Nadu Pollution Control Board, Chennai through the District Environmental Engineer or such other District Authorities shall issue a suitable reply to the petitioner's representation, within a period of two (2) weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.



W.P.No.16417 of 2025

WEB COPY

Consequently, connected miscellaneous petition is closed. There

shall be no order as to costs.

30.04.2025

Neutral citation :No.
bsm

To,

1. The Secretary to Government,
The State of Tamil Nadu,
Public Works Department,
Fort St. George,
Chennai- 600 002.

2. The District Collector,
1st Floor, Collectorate,
Tiruchengode Road,
Namakkal- 637 003.

3. The Member Secretary,
The Tamil Nadu Pollution Control Board,
No. 76, Mount Salai, Guindy,
Chennai- 600 032.

4. The Junior Engineer,
TANGEDCO,
Belukumchi Village,
Sendamangalam Taluk,
Namakkal- 637 402.

5. The Government Pleader, High Court, Madras.



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W.P.No.16417 of 2025

D.BHARATHA CHAKRAVARTHY, J.

bsm

Writ Petition No.16417 of 2025

30.04.2025