



W.P.No.1571 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.P.No.1571 of 2017

and WMP.Nos.1514 & 1515 of 2017 and 21088 of 2017

S.Aruchamy

.. petitioner

vs

1.The Government of Tamil Nadu
Rep by its Secretary
Municipal Administration and
Water Supply Department
Fort St.George Secretariat
Chennai – 9.

2.The District Collector
Thirupur,
Thirupur District.

3.The Revenue Divisional Officer
Taluk Office Complex
Udumalaipet,
Thirupur District.

4.The Commissioner



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Udumalaipet Municipal Corporation
Thali Road, Udumalaipet
Thirupur District

5.The Municipal Engineer
Udumalaipet Municipality
Thali Road, Udumalaipet
Thirupur District.

6.The Assistant Administrative Engineer
Tamil Nadu Water Supply and Drainage Board
Underground Drainage Scheme Sub Division
Udumalaipet, Thirupur District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari mandamus calling for the entire records pursuant to the impugned tender cum auction notice in Na.Ka.No.6954/2015/E1 dated 28.12.2015 published in “Dinamani” dated 04.01.2017 of the 4th respondent Municipality and quash the same and consequently to direct the respondents to let out the Secondary Treatment Effluent Water from the Sewage Water Treatment Plant of the 4th respondent Municipality in “RAJA VAAIKAL ODAI” for irrigation purposes.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.M.S.Prem Kumar, GA for R1
M/s.P.Aishwarya, GA for R2 & R3



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Mr.B.Anand for R4 and R5.

M/s.R.Mekhala, Standing counsel for R6

ORDER

This writ petition has been filed to call for the entire records pursuant to the impugned tender cum auction notice in Na.Ka.No.6954/2015/E1 dated 28.12.2015 published in “Dinamani” dated 04.01.2017 of the 4th respondent Municipality and quash the same and consequently to direct the respondents to let out the Secondary Treatment Effluent Water from the Sewage Water Treatment Plant of the 4th respondent Municipality in “RAJA VAAIKAL ODAI” for irrigation purposes.

2. The petitioner is a permanent resident and holding agricultural land to an extent of 10 acres. The water treated from Sewage Water Treatment Plant of the 4th respondent Municipality was proposed to be let out in the Rasavoykal Odai for irrigation purposes of 6 villages. The respondents 4 and 7 vide proceedings dated 11.12.2014 and 18.12.2014 informed that about 7.81 million liters of treated water from the plant will be let out in the odai for agricultural operations in the village. The 4th respondent Municipality by an impugned Tender cum Auction Notice in



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Na.Ka.No.6954/2015/E1 dated 28.12.2015 floated tender in Dinamani dated 04.01.2017 calling for tender for sale of secondary treatment effluent water for industries/agriculture and for other purposes. The last date for submission of tender is on 23.01.2017 at 11.00am and auction is notified on 23.01.2017 at 11.30am. The petitioner made a representation dated 06.01.2017 and objected the tender of sale of the secondary treatment effluent water. The 4th respondent received the representation and not responded for the same.

3. The learned standing counsel for the respondents 4 and 5 submitted a written instructions from the 4th respondent/Commissioner vide Na.Ka.No.6954/2016/E1 dated 16.04.2025. The relevant portion is extracted hereunder :-

”ஆனால்கழிவுநீர்

சுத்திகரிப்புநிலையத்தில்

த்திகரிக்கப்பட்டுவெளியேறு

மநீர்குறிஞ்சேரிஓடை

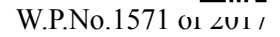
இ இராஜவாய்க்கால்ஓ

டையில்வெளியேற்றப்பட்டுவருகிறது

, விற்பனை

படுவதில்லை

, எதிர்வரும்கா



எதிரிவிக்கப்படுகிறது ”

<https://www.mhc.tn.gov.in/judis>



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Water Supply Department
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