



W.P.(MD)No.15080 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.07.2025

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.15080 of 2019

and

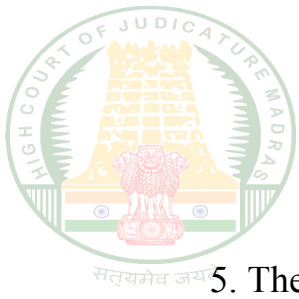
W.M.P(MD)No.12722 of 2019

Pandiaraj

... Petitioner

-VS-

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Forest Officer,
Forest Division,
Collectorate,
Virudhunagar.
3. Wildlife Warden,
Grizzled Squirrel Wildlife Sanctuary,
Opp. Aavin Milk,
Madurai Road,
Pillaiyarnatham Post,
Srivilliputhur – 626 101.
4. The Commissioner,
Srivilliputhur Municipality,
Srivilliputhur,
Virudhunagar District.



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5. The Proprietor,
Bell Plus Mineral Water,
Srivilliputhur,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the respondents 1 to 4 to take appropriate action to close the illegal water plant run by the 5th respondent namely Blue Plus Mineral Water situated at nearby Grizzled Squirrel Wildlife Sanctuary, Mamsapuram, Srivilliputhur Taluk, Virudhunagar District based on the representation dated 01.03.2019.

For Petitioner : Mr.M.Deepajothi
for M/s.S.Muniyandi

For R1 to R3 : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The writ on hand has been instituted seeking a direction to the respondents 1 to 4 to take appropriate action to close the illegal water plant run by the 5th respondent namely Blue Plus Mineral Water situated at nearby Grizzled Squirrel Wildlife Sanctuary, Mamsapuram, Srivilliputhur Taluk, Virudhunagar District based on the representation dated 01.03.2019.



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2. Exploitation of groundwater by private individuals and the necessity to regulate such extraction of groundwater by the Government to protect the public interest as well as the water resources beneath the earth have been elaborately considered by one of us (S.M.S., J.) in the case of ***Shanthi Aqua Farms and Ors. vs. The Secretary to Government of Tamil Nadu and Ors.***, reported in ***2018 (4) MLJ(Crl) 658***. Pursuant to the said decision, the Government has also issued guidelines for regulating illegal extraction of groundwater by the private individuals for commercial purposes. It cannot be granted indiscriminately so as to affect the groundwater resources, which will have greater impact on the environmental ecology. Groundwater extraction for the commercial purposes must be regulated as per the Government guidelines, failing which, it will result in causing damages to the earth as well as the water resources beneath the earth. It is an important phenomenon to be taken into consideration.

3. Thus, the official respondents are directed to ensure that illegal groundwater extraction for commercial purposes is stopped forthwith and in the event of receiving any information regarding illegal groundwater



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extraction for commercial purpose, then such persons are to be prosecuted under the criminal law and under the relevant laws for violating the Government guidelines.

4. In the present case, large scale allegation of groundwater extraction has been raised. Hence, the official respondents are directed to conduct an inspection, wherever groundwater extractions are made for commercial purpose, verify the licences granted to them and initiate all appropriate actions, including criminal prosecution against the offenders, if any excess extraction of groundwater or otherwise is identified.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.)

(S.S.Y., J.)

04.07.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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