



W.P.(MD)No.19187 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.19187 of 2020

and

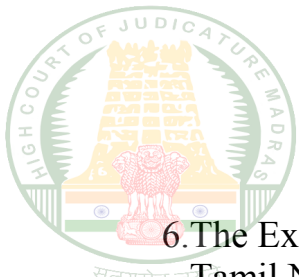
W.M.P.(MD)No.16043 of 2020

A.K.Mohamed Abbas

... Petitioner

-Vs-

- 1.The Secretary,
Water Supply Department,
Secretariat, Chennai-9.
- 2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
Chepauk, Chennai.
- 3.The District Collector,
Pudukkottai District, Pudukkottai.
- 4.The Executive Engineer (Project Division RCWSS),
Tamil Nadu Water Supply and Drainage Board,
Trichy District.
- 5.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Trichy District.



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6.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Ramanathapuram District.

7.The Executive Engineer,
Tamil Nadu Water Supply and Drainage Board,
Sivagangai District.

8.The General Manager,
ITC Private Ltd.,
Vadugapatti, Velur Village,
Viralimalai & Taluk, Pudukkottai District.

9.The General Manager,
Kals Breweries Pvt Ltd.,
325/1B, Kunnathoor Village,
Viralimalai & Taluk, Pudukkottai District.

10.The General Manager,
Sanmar Matrix Metals Ltd.,
No.87/1 Vadugapatty Village,
Viralimalai & Taluk, Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 not to provide drinking water to the commercial industries such as the respondents 8 to 10 that the illegal acts are malicious, arbitrary, against law, also highly affected to the public, who are grievously affected in drinking water famine, besides the act of the respondents 1 to 5 contrary to the Government Order in G.O.Ms.No.146, consequently, in the 2nd respondent departmental order in B.P.Ms.No.80 for the “Kaveri Koottu Kudineer Thittam” which is scheduled to the people of drinking water starvation.



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For Petitioner : Mr.K.Kevinkaran
For R1 & R3 : Mr.P.Thilak Kumar,
Government Pleader
For R2, R4 to R7 : Mr.R.Satheesh
For R8 : Mr.Krishna Srinivasan,
Senior Counsel,
for Mr.S.Ramasubramanian & Associates
For R9 : Mr.G.Mohan Kumar
For R10 : Ms.T.Nandhini

ORDER

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

The relief sought for in the present Writ Petition is to direct the respondents 1 to 5 not to provide drinking water to the commercial industries such as the respondents 8 to 10 that the illegal acts are malicious, arbitrary, against law, also highly affected to the public, who are grievously affected in drinking water famine, besides the act of the respondents 1 to 5 is contrary to the Government Order in G.O.Ms.No.146, consequently, in the 2nd respondent's departmental order in B.P.Ms.No.80 for the “Kaveri Koottu Kudineer Thittam”, which is scheduled to the people of drinking water starvation.



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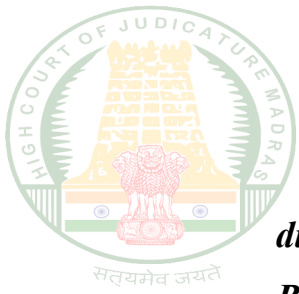
2.The learned counsel appearing for the Tamil Nadu Water Supply and Drainage Board (Board) would submit that water has been supplied to the respondents 8 to 10 based on the agreement between the parties. The Board granted approval to the procedures to be followed for giving water supply connections to industries, commercial organizations, institutions etc., from combined water supply schemes maintained by TWAD Board in future. In consonance with the terms stipulated, agreements are entered between the industries and commercial establishments. The Government also approved the scheme for providing water supply for industrial purposes. With reference to the allegations set out by the petitioner, the Board filed counter affidavit and the relevant portion of the same is extracted hereunder:-

“7.It is further submitted that at present, 78 MLD of water is being pumped from the Head works for supplying water to the local body beneficiaries, Commercial and Industrial beneficiaries including transmission loss.

In the above scheme, the permission was accorded for supplying water to:

A) M/s. ITC Ltd., Illuppur Taluk in Pudukkottai District for vide Board Proc. No. (0.5 MLD) KLD 500 24/dt.05.03.2019 with water tariff of Rs.150/ KL.

B) M/s. Kals Breweries Private Ltd., in pudukkottai



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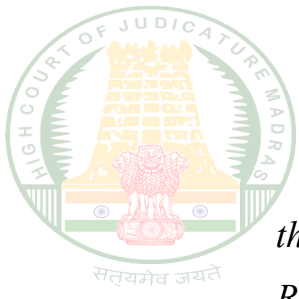
district for 500 KLD (0.5 MLD) vide Managing Director, TWAD Board, Chennai Proc. No. 10918/ F.WSC/ AE 5/ O&M/2018/dt. 24.09.2018 with water tariff of Rs.150/KL from the provision already available in the commercial and Industrial demand of 6.15 MLD (Present Stage 2006) of sanctioned estimate requirement calculation.

8.It is submitted that now totally 78 MLD is being supplied from the Head works and designed quantity of water is being distributed to all rural, urban beneficiaries of Pudukkottai, Sivagangai and Ramnad Districts. Also allotted quantity of water to M/s.ITC Limited, Pudukkottai District (0.5 MLD) and M/s.kals Brewereies (0.5 MLD) as per the TWAD Board Proceeding is being supplied from the provision made in the Commercial and Industrial demand from the above scheme.

Further there is no allotment made from Head Office/ TWAD Board/ Chennai for supplying water to M/s.Sanmark Metric Metals Limited, Viralimalai and hence no water is being supplied to this Industry.

9. It is submitted that Viralimalai is not the beneficiary in the above Ramnad CWSS and only 17 Nos. of habitations in 9 Nos. of panchayats of Viralimalai Union are beneficiaries of this scheme. Now designed quantity of Cauvery water is being supplied to the above 17 Habitations without any interruption.

10. Further at present 78 MLD of Cauvery water is being pumped from the Head works for supplying the designed quantity to



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the all local body beneficiaries of Pudukkottai, Sivagangai and Ramanathapuram Districts without any interruption.

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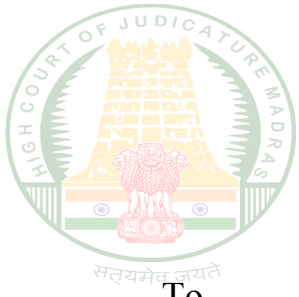
12.It is submitted that, based on a resolution passed by the officials of TWAD Board 5.7 dated: 10.11.2010 and as per the 12. It is submitted that, based on a resolution passed by the proposal kept by the Managing Director of TWAD Board before the Government of Tamilnadu dated: 23.11.2010. A G.O has been passed by the Government of Tamilnadu permitting to grant 10% of the entire water being distributed can be supplied to the Industrial Establishment in Tamilnadu.”

3.That apart, he would further submit that uninterrupted water supply has been provided in Ramanathapuram, Sivagangai and Pudukkottai Districts.

4.That being the factum, no further consideration is required in this petition. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
05.08.2025

NCC : Yes / No
Index : Yes / No
Yuva



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To

- 1.The Secretary,
Water Supply Department,
Secretariat, Chennai-9.
- 2.The District Collector,
Pudukkottai District, Pudukkottai.



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