



WEB COPY

WP No. 26462 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**W.P No. 26462 of 2025 and
WMP.No.29779 of 2025**

K.Ranganathan
S/o.Kandhan, Kulaththumettu Theru,
V.Puthupalayam Village, Kandachipuram Taluk,
Villupuram District.

..Petitioner

Vs

1. The Tahsildar,
Tahsildar Office, Kandachipuram,
Villupuram District.
2. The Panchayat President,
V.Puthupalayam Village, Kandachipuram
Taluk, Villupuram District.

..Respondents

Writ Petition filed under Article 226 of Constitution of India seeking for issuance of Writ Of Mandamus directing the 1st respondent to consider petitioner representation dated 11.6.2025 to take necessary action to stop the digging of well and or deep well by obstructing the lake water drainage within the vicinity of 80 mtrs from petitioner existing well in survey No.29/5, 31/5A at V.Puthupalayam village, and may direct the 2nd respondent to follow the Consolidated Guidelines 2011 which is issued by the Chief Engineers Circular No.CE1/2010/DD(G)/ dated 25.1.2010).



WEB COPY

WP No. 26462 of 2



For Petitioner:

Ms.R.Pushpalatha

For Respondents:

Mr.G.Sankaran

Senior Counsel

for M/s.S.V.Karthikeyan (R2)

Mr.R.Murthy (R1)

Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the 1st respondent to consider petitioner's representation dated 11.6.2025 and to take necessary action to stop the digging of well and or deep well by obstructing the lake water drainage within the vicinity of 80 mtrs from petitioner existing well in survey No.29/5, 31/5A at V.Puthupalayam village, and may direct the 2nd respondent to follow the Consolidated Guidelines 2011 which is issued by the Chief Engineers Circular No.CE1/2010/DD(G)/ dated 25.1.2010).

2. The case of the petitioner is that the petitioner is the owner of the agricultural land in S.Nos.29/5 and 31/5A at V.Puthupalayam village, Kandachipuram Taluk and the 2nd respondent's land is situated in Survey No.28, which is adjacent to the petitioner's land and the 2nd respondent is involved in the process of digging a well very adjacent to the well belonging to the petitioner within a vicinity of 80 meters, by not following the G.O.Ms.No.52 dated 02.03.2012 issued by the Public Works Department. If the 2nd respondent is allowed to dig, the petitioner's well will get affected and water scarcity will be caused. Hence this petition.



3. The learned counsel appearing for the petitioner would submit that as per G.O.Ms.No.52 of 2011 issued by the Public Works Department dated 02.03.2012 and as per the consolidated Guidelines in Force adopted by the State Groundwater Department, as on 28.01.2011, Consolidated Guidelines 2011, which is issued by the Chief Engineer's Circular No.CE1/2010/DD(G)/dated 25.01.2010, minimum spacing to be adopted in between the two wells are 150mts, but the 2nd respondent without following the same has involved in the process of digging a well very adjacent to the well belonging to the petitioner. She therefore prays to allow this Writ Petition.

4. The learned Senior Counsel appearing for the 2nd respondent would submit that earlier i.e., 30 years back, a bore well was installed on behalf of the Panchayat in the road margin of S.No.28 and fitted with a Hand Pump. Since the drinking water from the said bore well was pleasant for consuming, the villagers utilized the same for domestic purpose and later the hand pump was replaced with electric motor and mini ground level tank was installed. A Gram Sabha Resolution was passed on 02.10.2024 to dig a well, near the Panchayath bore well for supplying drinking water to the village and to utilize the electricity service connection obtained for mini tank, for pumping water from the proposed well and after getting sanction digging of the Well commenced in June 2025 and 50% of the work is completed.



5. Further, he would submit that Panchayat bore well was in existence in the location for the past 30 years and the well is to replace the bore well. That apart Petitioner's bore well was installed after the Panchayat bore well and the fact remains that the water supply in both the Panchayat bore well and the petitioner's bore well has not been affected till date and since 60,000 litres per day is to be pumped from the proposed well, water supply of the Petitioner's well and bore well will not be affected. Further he would submit that the Panchayat well is only for the purpose of providing drinking water to the villages, which is only for the domestic purpose and therefore the aforesaid guidelines is not applicable to the Domestic well and the Petitioner having installed his bore well much after the bore well installed by the Panchayat cannot now take shelter of the above mentioned guidelines to obstruct the work done for the public purpose. He further contended that since the Panchayat bore well was supplying water without affecting the flow of ground water in the surrounding well and bore wells for about 30 years and the Pachayat well, which is only a replacement of the said bore well will not affect the flow of ground water to the petitioner's well and the bore well. He therefore prays for the dismissal of the Writ Petition.

5. The learned Government Advocate appearing for the 1st respondent



also acceded to the submissions made by the learned Senior Counsel appearing for the 2nd respondent.

WEB COPY

6. Heard both sides. Perused the records.

7. This Court find force in the submissions of the learned Senior Counsel appearing for the 2nd respondent. As rightly contended by the learned Senior Counsel appearing for the 2nd respondent, guidelines issued by the Chief Engineer through Circular dated 25.01.2010 is not applicable to the Domestic Well and that apart it is also stated that the digging of the Well by the Panchayat will not affect the flow of ground water to the petitioner's well and bore well.

8. In such view of the matter, the relief sought for by the petitioner cannot be granted and this Writ Petition is devoid of merits and the same is liable to be dismissed.

9. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
arr



To

1. The Tahsildar
Tahsildar Office, Kandachipuram,
Villupuram District.
2. The Panchayat President
V.Puthupalayam Village, Kandachipuram
Taluk, Villupuram District



WEB COPY

WP No. 26462 of 2



M.DHANDAPANI, J.

arr

W.P No. 26462 of 2025

20-04-2026



WEB COPY

WP No. 26462 of 2

