



W.P.No.2841 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

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O.M.Ravi Rajini
S/o.Muthu Gounder,
The President,
Omalur Jeeva Samathi OM
Sri Sarabanga Rishi Trust,
Door No.3, 7th Ward, Makkan Street,
Omalur Taluk, Salem.

Petitioner

Vs

- 1.The Chief Engineer
Water Resource Association,
Public Works Department,
Chepaukkam, Chennai.
- 2.The District Collector
Collectorate, Salem District.
- 3.The Tahsildar
Taluk Office, Kaadaiyampatti,
Salem District.
- 4.The President
Thumbipaadi Village,
Kaadaiyampatti Taluk, Salem District.



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5.The Block Development Officer,
Omalur Panchayat Union,
Omalur, Salem District.

[Respondent No.5 impleaded vide order
dt. 17.02.2022]

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents No.2 to consider the petitioner's written representation dated 08.01.2022, consequentially permit the petitioner along with the other villagers to de-silt the Pethampatti Lake in Survey No.313 of Thumbipadi Village with an extent of around 54 Acres and utilise the extracts out of the same for the benefit of the farmers of the village.

For Petitioner: Mr.Thanga Vadhana
Balakrishnan

For Respondents: Mr.C.A.Ramanan
Government Advocate

ORDER

(Order of the Court was made by the *G.Arul Murugan, J.*)

This writ petition filed under Article 226 of the Constitution of India seeks a direction to permit the petitioner along with other villagers to de-silt Pethampatti Lake in Survey No.313 of Thumbipadi



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Village with an extent of around 54 acres and utilise the extracts out of the same for the benefit of the farmers of the village by considering the representation dated 08.01.2022.

2. The relief as sought by the petitioner cannot be granted, as de-silting or removal of materials are governed by Rules 12(2) and 12(2-A)(a) of the Tamil Nadu Minor Mineral Concession Rules, 1959. As such, the direction sought by the petitioner to allow them to de-silt the lake and take the materials cannot be granted by this Court, which could be considered only under the relevant provisions of the Tamil Nadu Minor Mineral Concession Rules.

3. It is for the authorities to decide whether the subject-lake requires de-silting. We only permit the petitioner to make a representation to the District Collector, Salem District bringing to the notice about de-silting of Pethampatti Lake and, if any such representation is received, it is for the District Collector to seek the opinion of the Water Resource Department as to whether de-silting of the lake is required and thereafter pass a reasoned order.



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4. With the above observation and direction, the writ petition stands disposed of. There shall be no order as to costs.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
06.08.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

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THE HON'BLE CHIEF JUSTICE
AND
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