

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.7427 of 2017

N.Perumal

.. Petitioner

Vs.

1. The Principal Secretary to Government,
Public Works Department,
Fort St. George,
Chennai - 600 009.
 2. The Principal Engineer in Chief (Irrigation),
Public Works Department,
Water Resources Department,
Chepauk, Chennai - 600 005.
 3. The District Collector,
Salem District.
Salem.
 4. The Chief Engineer,
Public Works Department,
Water Resources Department,
Mettur Dam,
Salem District.
- .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to remove the silt from the Mettur Dam by using man and machinery power by taking steps as emergency manner.

For Petitioner

: Mr.C.Prakasam

For Respondents

: Mr.T.N.Rajagopalan
Spl. Government Pleader

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for the respondents.

2. Heard the learned counsel for the parties.

3. The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents to remove the silt from the Mettur Dam by using man and machinery power by taking steps as emergency manner.

4. It is the case of the petitioner that he is an agriculturist and more than 15 District agriculturists are depend upon the Cauvery water for their agricultural operations. But due to recent drought, they are not getting sufficient water either from Cauvery river or from the Well. The petitioner states that the storage of water in Mettur Dam fell down. Now only 32 feet water alone available in the Mettur Dam, that too 32 feet water was not available since there are 25 feet mud are dumped in the Dam. For the past 100 years the silt has not been removed and also the Government has not taken any steps to dredge in the Mettur Dam. If the Government remove the silt, then water can be stored more. In this regard, on 25.2.2017, the petitioner sent representation to the respondent authorities. Despite receipt of the representation, the respondent authorities have not taken any steps. Hence, the petitioner has filed the writ petition seeking the relief stated supra.

5. The learned counsel for the petitioner submitted that despite the receipt of the petitioner's representation seeking to remove the silt from Mettur Dam, the respondent authorities have not taken any action sofar. The learned counsel further submitted that if the silt is removed, then the storage of water will be hiked and the agriculturists would get benefited.

6. We find that the petitioner has come up with this public interest litigation without doing any ground work. Based on the newspaper report only, the petitioner has filed this writ petition. If it is a newspaper report, the petitioner must clearly state as to whether he has verified the facts by personally visiting the place or talking to any responsible person. In this case, admittedly, the petitioner has not stated anything in the affidavit filed in support of the writ petition. Only on 25.2.2017, the petitioner has sent representation to the respondent authorities seeking them to remove the silt from the Mettur Dam.

7. We are of the view that the writ petition is not supported by any material fact and filed only on surmises.

8. The writ petition is dismissed. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To:

- 1 The Principal Secretary to Government,
Public Works Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Engineer in Chief (Irrigation),
Public Works Department,
Water Resources Department,
Chepauk, Chennai - 600 005.
3. The District Collector,
Salem District.
Salem.
4. The Chief Engineer,
Public Works Department,
Water Resources Department,
Mettur Dam,
Salem District.

+1cc to Government Pleader sr.19481

rs1(co)
ss(12/4/2017)

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