

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.7335 of 2017

S.Ilavarasu

.. Petitioner

Vs.

1.The District Collector
Salem, Salem District.

2.The Revenue Divisional Officer
Revenue Divisional Office
Attur Taluk
Salem District.

3.The Executive Engineer
Public Works Department
Water Resources Organization
Sarabanga Rive Basin Circle
Namakkal.

4.The Assistant Executive Engineer
Public Works Department
Water Resources Organization
Sarabanga Rive Basin Circle
Attur, Salem District.

5.The District Forest Officer
Salem District, Salem.

.. Respondents

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents herein to take action and complete the desilting of the Mutal lake situated in Vadakukadu, Ammampalayam, Attur, Salem District in a time bound manner for the welfare of the village public so that there could be sufficient storage of water as claimed in

the representations of the petitioner dated 1.11.2016 and intimated through communication of the 4th respondent Letter No.Ko-55A/2016, dated 1.11.2016.

For Petitioner : Mr.G.Arul Murugan

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for respondents 1 to 4

Mr.M.Santhanaraman
Addl. Government Pleader
for 5th respondent

ORDER

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

Mr.T.N.Rajagopalan, learned Special Government takes notice for respondents 1 to 4 and Mr.M.Santhanaraman, learned Additional Government Pleader takes notice for the fifth respondent.

2. It is the case of the petitioner that despite several representations given to the respondent authorities to de-silt the Mutal Lake situated in Vadakukadu within Ammampalayam Village Panchayat, Attur Taluk, Salem District, till date respondent 1 to 4 have not obtained permission from the fifth respondent/Forest Department to proceed with de-silting.

3. The learned Special Government Pleader appearing for respondents 1 to 4 submits that since a portion of the water catchment area of the Mutal Lake comes within the jurisdiction of the Forest Department, they have sought permission from the Forest Department and after obtaining such permission, respondents 1 to 4 shall proceed with the de-silting work.

4. The learned Additional Government Pleader appearing for the fifth respondent submits that he will persuade the fifth respondent to expedite the process and do the needful in the matter.

5. On hearing the learned counsel for the parties, we direct the fifth respondent to consider the issue of granting permission for de-silting of Mutal Lake, Ammanpalayam, at the earliest and pass necessary orders one way or the other in accordance with law. Based on the order to be passed by the

fifth respondent, respondents 1 to 4 shall proceed in accordance with law.

The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sasi

To:

- 1.The District Collector
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- 2.The Revenue Divisional Officer
Revenue Divisional Office
Attur Taluk
Salem District.
- 3.The Executive Engineer
Public Works Department
Water Resources Organization
Sarabanga Rive Basin Circle
Namakkal.
- 4.The Assistant Executive Engineer
Public Works Department
Water Resources Organization
Sarabanga Rive Basin Circle
Attur, Salem District.
- 5.The District Forest Officer
Salem District, Salem.

+1cc to the Government Pleader Sr. 19483

+1cc to Mr.G. Arul Murugan, Advocate Sr. 19195

+1cc to Special Government Pleader Sr. 19042

W.P.No.7335 of 2017

SVI (CO)
VR(12/04/2017)