



W.P(MD)No.9113 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 06.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.9113 of 2026

S.Alagarsamy

... Petitioner

Vs.

1. The District Collector,
Collectorate Complex,
Virudhunagar.
2. The Tahsildar,
Watrap Taluk,
Virudhunagar District.
3. The Executive Engineer,
Water Resources Department,
Rajapalayam,
Virudhunagar District.
4. The Block Development Officer,
Watrap Panchayat Union,
Virudhunagar District.

...Respondents

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 3rd respondent to implement the order passed by the 2nd respondent vide his proceedings TN-12020260210160 dated 03.03.2026 and pass such



W.P(MD)No.9113 of 2026

further or other orders as this Honble Court may deem fit and proper in circumstances of this case and thus render justice.

For Petitioner	:Mr.M.S.Sheik Abdullah
For R1 to R3	:Mr.P.Thambi Durai Government Advocate
For R4	:Mr.F.Deepak Special Government Pleader

ORDER

This writ petition is filed for a mandamus directing the 3rd respondent to implement the order passed by the 2nd respondent vide proceedings dated 03.03.2026.

2. Heard Mr.M.S.Sheik Abdullah, learned counsel appearing for the petitioner, Mr.P.Thambi durai, learned Government Advocate, who takes notice on behalf of the respondents 1 to 3 and Mr.F.Deepak, learned Special Government Pleader, who takes notice on behalf of the 4th respondent.



W.P(MD)No.9113 of 2026

WEB COPY

3. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, the grievance of the petitioner is that he is a farmer with lands in S.No. 709/2A, 709/3A1, 709/3A5, 793/1A, 793/4A, 794/10, 794/12, 794/1B2, and 796/3B3, situated at Nathampatti Village, Watrap Taluk, Virudhunagar District. He wanted to utilize the silt in the water body to improve the quality of the soil in his cultivable lands.

4. Accordingly, he had duly applied for permission to remove the silt from Karisalkulam–Pudhukulam Lake in Semmandi Karisalkulam Village. The permission was granted by the 2nd respondent on 03.03.2026, allowing the petitioner to remove 200 cubic meters for a period of 30 days. However, despite the said permission being granted, the same has not been implemented by the 3rd respondent, and hence the writ of mandamus.



W.P(MD)No.9113 of 2026

WEB COPY

5. When the matter came up for admission, the learned Government Advocate and the learned Special Government Pleader appearing for the respondents submitted that it is true the petitioner was originally granted permission since the lake was notified in the approved list for removal. However, upon subsequent inspection, an objection was raised by the Public Works Department, stating that what was found in the lake was not silt or vandal that could be used for agricultural purposes but a significant amount of gravel. Therefore, it would not serve the purpose of the petitioner, who is a farmer.

6. The Public Works Department is now identifying Pattangulam Village at S.No. 34 as another potential lake. However, if the petitioner wishes, that lake is nearby, and as and when the petitioner applies, it will be considered in accordance with the law.

7. I have considered the rival submissions made on either side and perused the material records of the case.



W.P(MD)No.9113 of 2026

WEB COPY

8. It can be seen that by G.O.Ms.No.50, Industries (MMC-1) Department, dated 27.04.2017, amendments were made to Rule 12 of the Tamil Nadu Minor Mineral Concession Rules, 1959, by adding Rule 2A. The said rule permits the removal and quarrying of clay, silt, and gravel from the beds of channels, tanks, and reservoirs in the state for pottery, agriculture, and other purposes mentioned therein. It also outlines the manner in which the quarrying should be done, the maximum extent that is permissible and the number of days for which the permit can be granted.

9. It is noted that by an amendment to the said sub-rule, gravel has been excluded and only silt and clay are allowed to be removed for agricultural purposes, with clay being used by potters for making pots and other mud-related artifacts.

10. In view thereof, the writ petition is disposed on the following terms:-



W.P(MD)No.9113 of 2026

- i. Within one week from the date of receipt of a web copy of the order, the petitioner shall make an application in respect of the Pattangulam or any other lake where the silt is found which will be suitable for using in agricultural purposes.
- ii. As and when the application is made, the same shall be considered in accordance with law and order shall be passed strictly in accordance with the rules, within a period of four weeks there from.
- iii. No costs.

06.04.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



WEB COPY



W.P(MD)No.9113 of 2026

To

1. The District Collector,
Collectorate Complex,
Virudhunagar.
2. The Tahsildar,
Watrap Taluk,
Virudhunagar District.
3. The Executive Engineer,
Water Resources Department,
Rajapalayam,
Virudhunagar District.
4. The Block Development Officer,
Watrap Panchayat Union,
Virudhunagar District.



WEB COPY



W.P(MD)No.9113 of 2026

D.BHARATHA CHAKRAVARTHY, J.

rgm

W.P(MD)No.9113 of 2026

06.04.2026



WEB COPY



W.P(MD)No.9113 of 2026