



W.P(MD)No.28714 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.28714 of 2022
and
W.M.P(MD)No.22706 of 2022**

Selvaraj

... Petitioner

VS.

1. The Secretary to Union of India,
Ministry of Environment and Forest and
Climatic Changes,
Government of India,
New Delhi.

2. The Principal Secretary to Government of Tamil Nadu,
Department of Revenue & Disaster Management,
Secretariat,
St.George Fort,
Chennai.

3. The Principal Secretary to Government of Tamil Nadu,
Department of Environment, Forest and Climatic Change,
Secretariat, St.George Fort, Chennai.

4. Director of Mines Safety,
Gurugram,
Haryana.

5. The Chairman,
Tamil Nadu Pollution Control Board,



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76, Mount Road,
Guindy,
Chennai.

6. The District Collector,
Pudukkottai,
Pudukkottai District.

7. The District Revenue Officer,
Pudukkottai District.

8. The Superintendent of Police,
Pudukkottai District.

9. The Superintendent Engineer,
Tamil Nadu Pollution Control Board,
Pudukkottai,
Pudukkottai District.

10. Assistant Director,
Mines and Geology,
Pudukkottai.

11. The Deputy Superintendent of Police,
Keeranur,
Pudukkottai District.

12. The Tahsildar,
Kulathur,
Pudukkottai District.

13. The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.

14. M.Murugesan

15. Deivayani

16. Tamilarasi

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the officials to take appropriate action against respondents 14 and 15 for the illegal quarrying operation in poramboke lands comprised in S.Nos.126/19, 126/3, 144, 123, 143, 145/6 and 7 of Vanthinakurichi Village, Kulathur Taluk, Pudukkottai District and mining of crusher unit against law and also take appropriate action against the erring officials as per G.O.Ms.135, Industries (MMA-1) Department dated 13.11.2009.

For Petitioner : Mr.P.Ganapathi Subramanian
For R1 & R4 : Mr.V.J.Kumaravel
For R2, R3, R6, R7,
R8 R10 to R13 : Mr.R.Baskaran
Additional Advocate General assisted by
Mr.A.Baskaran, Additional Government Pleader
For R5 & R9 : Mrs.Vijayakumari Natarajan
For R14 & R15 : Mr.G.Prabhu Rajadurai

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the officials to take appropriate action against the respondents 14 and 15 for the illegal quarrying operation in poramboke lands comprised in S.Nos.126/19, 126/3, 144, 123, 143, 145/6 and 7 of Vanthinakurichi Village, Kulathur Taluk, Pudukkottai



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District and mining of crusher unit against law and also take appropriate action against the erring officials as per G.O.Ms.135, Industries (MMA-1) Department dated 13.11.2009.

2. Upon complaints of illegal quarrying in Government land having been made, a joint committee consisting of the Assistant Director, Department of Geology and Mining, Pudukkottai District, the District Environmental Engineer, Tamil Nadu Pollution Control Board, Pudukkottai, and the Revenue Divisional Officer, Illuppur, was directed to conduct an inspection and file a report. A report has been filed by the joint committee which *prima facie* shows that there has been illegal quarrying in the Government land at the instance of the 14th respondent. The committee has also recommended action against the owners of the lands who have allowed illegal quarrying in their lands.

3. It is seen from the proceedings of the Revenue Divisional Officer, Iluppur, dated 25.04.2023 that an enquiry was held on 15.05.2023 regarding the above findings of the joint committee.

4. Mr.R.Baskaran, learned Additional Advocate General



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would assure this Court that appropriate action will be taken on the basis of the report of the joint committee. It is also admitted by the parties that quarrying in the poramboke land and other unlicensed places has been stopped now. We only hope and pray that it does not start again after sometime.

5. Mr.G.Prabhu Rajadurai, learned counsel appearing for the respondents 14 and 15 would submit that the findings of the joint committee are not correct to establish quarrying in poramboke lands by the 14th respondent.

6. Recording the said statement, this Writ Petition is closed. It will be open to the petitioner to raise the issue of violation of distant rules in a separate writ petition. No costs. Connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) & (L.VICTORIA GOWRI, J.)
19.06.2023

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



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and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
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