

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.15735 of 2015

R.Lakshmanan

.. Petitioner

-vs-

1.The Secretary,
Public Works Department,
(Water Resources),
The Secretariat, Chennai.

2.The District Collector,
Cuddalore District.

3.The District Collector,
Villupuram District.

4.The Assistant Engineer,
Public Works Department,
(Water Resources), Pasanapirivu,
Cuddalore.

5.D.Ezhilkumar

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 4 to prohibit the illegal sand mining carried in the name of 5th respondent and his henchman in Thenpennai River in and around the Villupuram District in the guise of licence granted by respondents and consequently cancel permits granted to the 5th respondent by considering the petitioner's representation dated 01.04.2015.

For Petitioner : Mr.P.Tamilavel

For Respondents : Mr.S.T.S.Moorthy,
Govt.Pleader
Assisted by Mr.Shanmugasundar
Govt. Advocate for RR 1 to 4

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On perusal of the pleadings, we must note with regret that the petitioner is a lawyer practising in Villupuram District and yet has chosen to make apparently unsubstantiated allegations about unauthorized and illegal mining.

2.The counter-affidavit filed by the District Collector, Cuddalore District / second respondent, clearly states that the quarrying of sand was carried out by the Public Works Department for an approved quantity of 48750 metric cubic meters within the operation period from 22.01.2015 to 11.08.2015. Field measurement books and records are stated to have been maintained confirming the limit of the quantity mined, which was within the parameters and as informed to us today, since the approved quantity has already been mined, mining operation now has been stopped by the Public Works Department. The District Collector, Villupuram / 3rd respondent has also confirmed the aspect, as the area falls within both the jurisdictions.

3.Writ Petition is, accordingly, dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

1.The Secretary,
Public Works Department,
(Water Resources),
The Secretariat, Chennai.

2.The District Collector,
Cuddalore District.

3.The District Collector,
Villupuram District.

4.The Assistant Engineer,
Public Works Department,
(Water Resources), Pasanapirivu,
Cuddalore.

+ 1 cc to Government pleader Sr.40821

W.P.No.15735 of 2015

SR(CO)

Eu 18.08.15