

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.27312 of 2015

R.Gunasekar

.. Petitioner

-vs-

1.The District Collector,
Villupuram District, Villupuram.

2.The Assistant Engineer / Executive
Engineer, Public Works Department,
Villupuram.

3.The Panchayat President,
Pidagam Village, Villupuram Taluk
and District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to take appropriate steps to protect the Periya Eri (Lake) situated in petitioner's village, viz., Pidagam Village and Post, at Villupuram District.

For Petitioner : Mr.G.Balamanikandan
For Respondents : Mr.S.T.S.Moorthy,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P. and
Mr.V.Shanmugha Sundar, G.A.

O R D E R

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

The petitioner claims that he is a resident of Pidagam Post, Villupuram Taluk and District and a lake situated in the village of the petitioner is being quarried illegally. The petitioner claims to have made a representation dated 11.10.2014. This coupled with some photographs is the sum and substance of the materials placed before the Court.

2.Learned Government Pleader submits that he has obtained

instructions that no sand quarrying is going on in the area, only gravel is being removed and that too after permission from the Tamil Nadu Pollution Control Board and for purposes of work for the Southern Railway.

3.We are of the view that the petitioner should have done more ground work, obtain requisite information and then, file a Public Interest Litigation, rather than just despatch a letter and on its non-response, file the writ petition.

4.We are, thus, not inclined to entertain the writ petition after one year of the representation without any ground work being done.

5.We may, however, caution the respondents that whatever is being removed, albeit gravel, it must be ensured that the area of removal is as per permission granted.

6.Writ Petition is dismissed with the aforesaid observation. No costs. Consequently, M.P.No.1 of 2015 is also dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

sra

To

1.The District Collector,
Villupuram District, Villupuram.

2.The Assistant Engineer / Executive
Engineer, Public Works Department,
Villupuram.

3.The Panchayat President,
Pidagam Village, Villupuram Taluk
and District.

1 cc to Mr.G.Balamanikandan , Advocate Sr.No.46802

1 cc to Government Pleader.Sr.No.46826

W.P.No.27312 of 2015

gj (co)

pmk.15.9.2015