

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.06.2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE  
and  
The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.3031 of 2015

A.Cheran

... Petitioner

Versus

1.The District Collector  
Ariyalur District.

2.The District Revenue Officer  
O/o.The District Collector  
Ariyalur, Ariyalur District.

3.The Revenue Divisional Officer,  
Udayarpalayam,  
Ariyalur District.

4.The Member Secretary,  
State Level Environment Impact  
Assessment Authority - I,  
Gennis Road, III Floor,  
Panakal Maaligai,  
Saidapet, Chennai 600 015.

5.The Secretary,  
Public Works Department,  
Fort St.George,  
Secretariat,  
Chennai 600009.

6.The Chief Engineer,  
Tamil Nadu Water and Drainage Board,  
Ariyalur District.

7.The Assistant Director  
Geology and Mining,  
O/o.The District Collector  
Aiyalur District.

8.The Tahsildar,  
Sendurai Taluk,  
Ariyalur District.

9.The Sub Inspector of Police  
Thalavai Police Station,  
Ariyalur District.

10.The Village Administrative Officer,  
Sannachi Nallur,  
Sendurai Taluk,  
Ariyalur District 621 730.

11.The President,  
Sannachi Nallur Village Panchayat,  
Sendurai Taluk,  
Ariyalur District 621 730.

12.The Executive Engineer,  
Public Works Department,  
Vellaru, Sannachi Nallur Village,  
Sendurai Taluk,  
Ariyalur District 621 730.

13.The District Collector,  
Cuddalore District.  
(R.13 impleaded as per order dated 31.3.2015  
by SKK,CJ and MMSJ )

14.Tamil Nadu Pollution Control Board,  
represented by the Member Secretary,  
Guindy, Chennai.  
(R.14 impleaded as per order dated 04.06.2015  
by SKK.,CJ and TSSJ) .. Respondents.

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the respondents to consider the petitioner's representation dated 05.01.2015 and thereby direct the respondents to take effective steps to restrain the persons from stealing the sand in Survey No.302, Sannachi Nallur Village, Sendurai Taluk, Ariyalur District and consequently direct the respondents 1 to 10 to restore the burial ground and Vellaru River situated in Survey No.302, Sannachi Nallur Village, Sendurai Taluk, Ariyalur District immediately.

For Petitioner ::: Mr.A.Rajesh Kanna  
For Respondents ::: Mr.S.T.S.Murthy  
Government Pleader for R.1 to R.3,  
5,7 to 9, 12 &13

Mr.S.Thamizharasi for R.6  
Ms. Rita Chandrasekaran  
for R.14 (impleaded suo motu)

O R D E R

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

The Tamil Nadu Pollution Control Board is represented before us and impleaded as 14<sup>th</sup> respondent. The array of parties be amended accordingly.

2. Learned counsel appearing for the 14<sup>th</sup> respondent states that the requisite clearance was obtained from the Board. The affidavit filed by the District Collector, Cuddalore, states that all procedures have been followed while granting permission to Public Works Department, to open a new quarry, where removal up to 1,19,000 cubic meters only upto the depth of one meter is permitted for a period of three years subject to the conditions stipulated in the order and also the conditions stipulated by the State Level Environment Impact Assessment Authority and the Tamil Nadu Pollution Control Board.

3. The petitioner however appears not to have served the 10<sup>th</sup> and 11<sup>th</sup> respondents, despite last opportunity granted on 31.03.2015.

4. In view of the aforesaid position, we close this writ petition, but with a direction to the 14<sup>th</sup> respondent to independently verify that all norms are followed and that exercise be undertaken within one month from today. No costs.

5. Copy of the order be issued to the 14<sup>th</sup> respondent. Consequently M.P.No.1 of 2015 is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

Copy to:

1.The District Collector, Ariyalur District.

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O/o.The District Collector, Ariyalur, Ariyalur District.

3.The Revenue Divisional Officer,  
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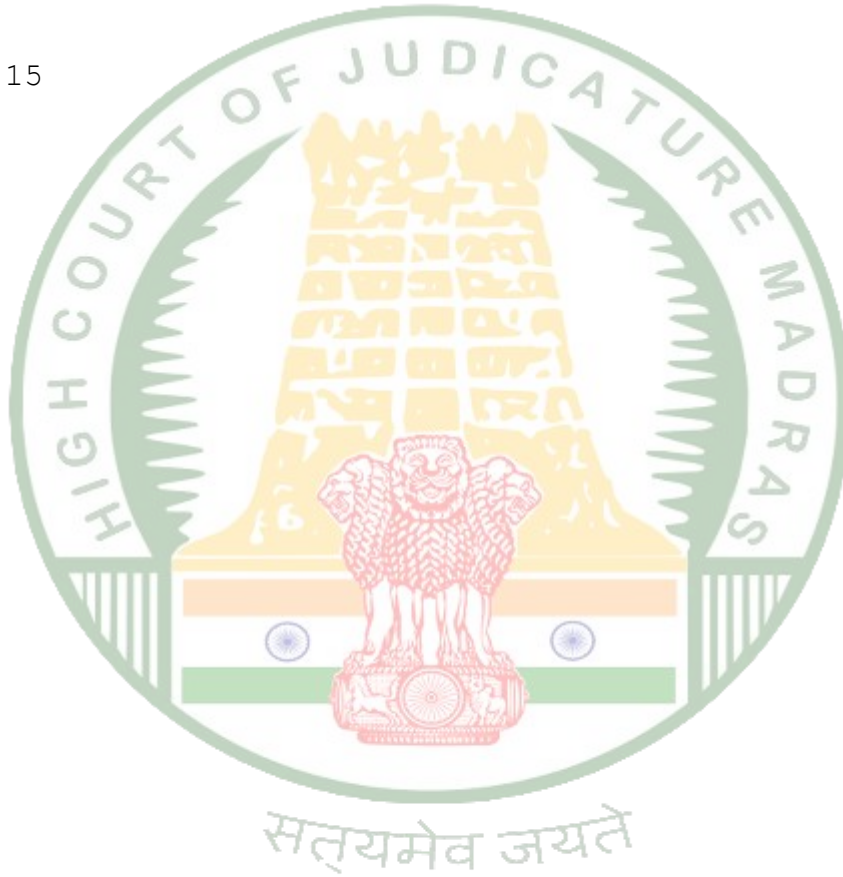
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14.The Member Secretary,  
Tamil Nadu Pollution Control Board,  
Guindy, Chennai.

- + 1 cc to M/s. S.T. Thamizharasi, Advocate Sr.26761
- + 1 cc to Mr.A.Rajesh Kanna Advocate Sr.26964
- + 1 cc to Government Pleader Sr.26833
- + 1 cc to M/s. Rita Chandrasekar, Advocate Sr.27021

W.P.No.3031 of 2015

TEJ (CO)  
Eu 06.07.15



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