

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2015

CORAM

THE HON'BLE Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P. No.30936 of 2015

C.Ramesh

... Petitioner

Versus

- 1.The Government of Tamil Nadu
represented by the Principal Secretary,
Public Works Department,
Fort St.George, Chennai.
- 2.The Director,
Geology and Mining,
Industrial Estate,
Guindy, Chennai.
- 3.The District Collector
Kancheepuram
- 4.The Tahsildar,
Chengalpet Taluk,
Kancheepuram.
- 5.The President,
Nallambakkam Panchyat
Chengalpet Taluk, Kancheepuram
Chennai 600 048.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus, directing the third respondent not to lease out the lake in future in Nallambakkam Periya Lake located in S.No.310, 311 and 312, Nallambakkam Village, Chengalpet Taluk, Kancheepuram District to protect the water body and to serve the needs of the general public and agricultural activities by considering the representation of the petitioner dated 4.09.2015.

For Petitioner : Mr.S.Prabakar
for M.A.Muthalakan

For Respondents : Mr.S.T.S.Murthy
Government Pleader
assisted by Mr.V.R.Kamalanathan
Additional Government Pleader
Mr.V.Shanmughasundar
Government Advocate
for R.1 to R.4

O R D E R

(Judgment of Court was made by The Honourable Chief Justice)

The allegation is that in the lake area quarrying of sand is taking place much beyond the permissible limit for which license has been granted. A representation in this behalf has been made on 04.09.2015 which is stated to be unaddressed.

2. The learned Government Pleader states that quarrying has been closed on 21.09.2015.

3. The moot point however remains whether licensee has adhered to the terms of the license or not, and thus, we direct the second respondent to get the site inspected and verify whether the quarrying which has taken place is as per the license granted. If any violation is found, proceedings should be taken out against the licensee and damages recovered as per procedure.

4. We may add if any such eventuality arises, 50% of the amount so recovered in that case will be remitted to the Grama Panchayat for compensating the residents of the area in development work. Necessary action be taken within a maximum period of 15 days from the date of receipt of the order.

5. The writ petition accordingly stands disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ksr

To

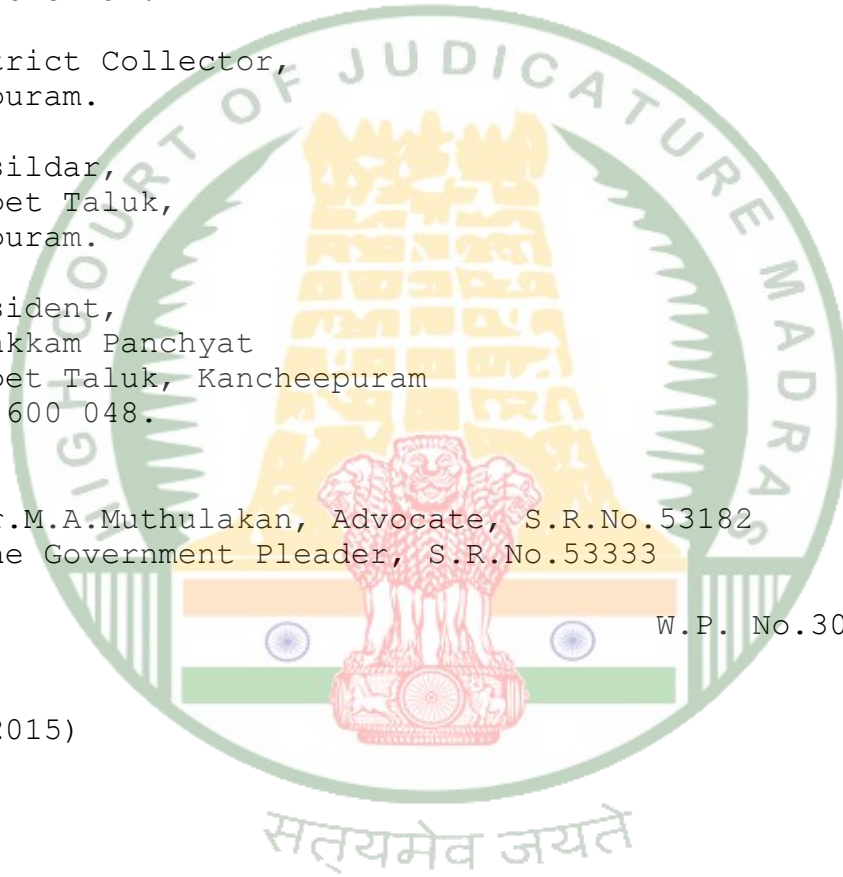
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Chennai 600 048.

+1cc to Mr.M.A.Muthulakan, Advocate, S.R.No.53182

+1cc to the Government Pleader, S.R.No.53333

W.P. No.30936 of 2015

KJI (CO)
CA(15/10/2015)



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