

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11..03..2015

CORAM:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice M.M.SUNDRESH

W.P.No.6704 of 2015

M.Loganathan ... Petitioner

versus

- 1.The Government of Tamil Nadu
represented by its Secretary to Government
Home Department,
Fort St.George, Chennai 600 009.
- 2.The Director -General of Police
Dr.Radhakrishnan Road,
Mylapore, Chennai 600004.
- 3.The Principal Secretary
Industries Department
Secretariat, Chennai 600 009.
- 4.The Principal Secretary
Public Works Department
Secretariat, Chennai 600 009.
- 5.The Principal Secretary
Transport Department,
Secretariat, Chennai 600009.
- 6.The Director
Department of Geology and Mining
Guindy, Chennai 600 032.
- 7.The District Collector
Coimbatore District.
Coimbatore 641 018.

8.The District Collector
Kanyakumari District
Nagercoil 629001.

9.The Superintendent of Police
Coimbatore District.
Coimbatore 641 018.

10.The Superintendent of Police
Kanniyakumari District
Nagercoil 629 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, a) Directing the first respondent to constitute a committee under the Chairmanship of District Collectors to identify sand quarry in River and Riverbed of Tamil Nadu and to recommend quarrying in such selected places only according to the needs of the public.

b)To co-ordinate the action between police department, revenue department and Mines and Mineral Department to prevent sand smuggling to other states.

c) To erect permanent check-posts on the roads of coimbatore and Kayakumari Districts leading to Kerala State and provide sufficient police personnel to strengthen these check-posts.

For Petitioner : No appearance

For Respondents : Mr.S.T.S.Moorthy
Government Pleader for R.1 and R.10

O R D E R

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

This writ petition has been filed with the following prayers:

"a) Directing the first respondent to constitute a committee under the Chairmanship of District Collectors to identify sand quarry in River and Riverbed of Tamil Nadu and to recommend quarrying in such selected places only according to the needs of the public.

b)To co-ordinate the action between police department, revenue department and Mines and Mineral Department to prevent sand smuggling to other states.

c) To erect permanent check-posts on the roads of

coimbatore and Kayakumari Districts leading to Kerala State and provide sufficient police personnel to strengthen these check-posts."

2. Learned Government Pleader submits that in so far as prayer (a) is concerned, the mechanism is already in force so that the quarrying is permitted according to the needs of the public and is a general prayer. His submission qua prayer (b) and (c) is that the Rule 38-A of the Tamil Nadu Minor Mineral Concession Rules, 1959, are already in force, prohibiting transportation of sand covered under Rule 38, from being transported across the border States to the other States. Relevant instruction in this behalf have already been issued from the Chief Secretary to various authorities in terms of G.O.Ms.No.32, Industries (MMC2), dated 11.02.2011.

3. In view of the aforesaid, steps have already been taken in terms of the prayer made and the petition accordingly stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ksr

Copy to:

- 1.The Secretary to Government of Tamil Nadu
Home Department,
Fort St.George, Chennai 600 009.
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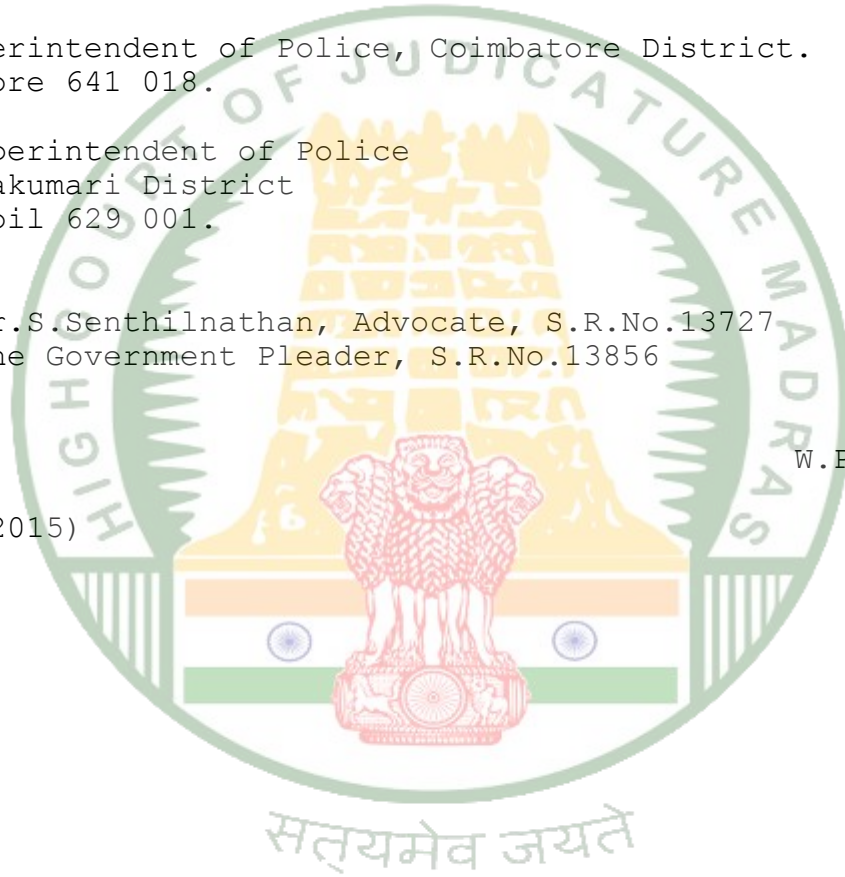
10.The Superintendent of Police
Kanniyakumari District
Nagercoil 629 001.

+1cc to Mr.S.Senthilnathan, Advocate, S.R.No.13727

+1cc to the Government Pleader, S.R.No.13856

RJ(CO)
CA(16/03/2015)

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