

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6926/2015 & MP.No.1/2015

Mr.K.Vadamalai

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Petitioner

Versus

1.The District Collector
Thiruvallur District, Thiruvallur.

2.The District Revenue Officer
Thiruvallur District, Thiruvallur.

3.The Revenue Divisional Officer
Ponneri Revenue Divisional Office,
Ponneri.

4.The Tahsildar
Ponneri Taluk Office
Ponneri.

5.Mr.R.Venkadesan

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st to 4th respondents to take suitable action against the 5th respondent from ducting of sand in and around the petitioner's agricultural land of survey No.340/2, Sembium Manali Village, Vichoor Panchayat, Cholavaram Union, Ponneri Taluk, Thiruvallur District.

For Petitioner : Mr.T.S.Kanmani
For RR1 to 4 : Mr.S.Gunasekaran, GA

ORDER

Heard Mr.T.S.Kanmani, learned counsel appearing for the petitioner ; and Mr.S.Gunasekaran, learned Government Advocate accepting notice for the respondents and with their consent, the writ petition is disposed of at the admission stage itself.

2.Since the writ petition is disposed of at the admission stage itself, notice to the 5th respondent is dispensed with and the

allegations made by the petitioner as against the 5th respondent are not gone into and the same is left open to the official respondents to consider the same.

3.The petitioner seeks for issuance of a writ of mandamus to direct the respondents 1 to 4 to take action against the 5th respondent. According to the petitioner, the 5th respondent is illegally excavating sand from the agricultural land in S.No.340/2, Sembium Manali Village, Vichoor Panchayat, Cholavaram Union, Ponneri Taluk, Thiruvallur District. In this regard, the petitioner submitted a representation to the authorities on 02.03.2015. He has also produced the photographs showing that heavy equipments have been used to excavate sand. From the photographs shown, it is seen that the excavation has been done in an agricultural land and deep pits have been dug. It is not known as to why the authorities have granted permission to excavate sand and for what purpose, the 5th respondent is excavating. In any event, an objection has been raised by the neighbouring land owner which has to be ordered.

4.Accordingly, there will be a direction to the 3rd respondent to consider the petitioner's representation dated 02.03.2015 within a period of one week from the date of receipt of a copy of this order and act in accordance with law, after issuing notice to the petitioner and the 5th respondent.

5.The writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP
To

- 1.The District Collector
Thiruvallur District, Thiruvallur.
- 2.The District Revenue Officer
Thiruvallur District, Thiruvallur.
- 3.The Revenue Divisional Officer
Ponneri Revenue Divisional Office,
Ponneri.

4.The Tahsildar
Ponneri Taluk Office
Ponneri.

1 cc to Mr. T.S.Kanmani,Advocate, SR.No.13834

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pmk.12.3.2015



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