

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2015

CORAM

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

W.P.No.24554 of 2013
and
M.P.No.1 of 2013

R.Jeevanesan

... Petitioner

-vs-

1. State of Tamilnadu,
rep. by its Secretary,
Public Works Department,
Fort St. George,
Chennai-600 009.
2. The Collector,
Thiruvallur District.
3. The Assistant Director,
(Mines & Minerals),
Thiruvallur District,
Thiruvallur.
4. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
5. The Tahsildar,
Uthukottai Taluk,
Thiruvallur District.

6. G.Kumar

... Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 4 to cancel the permission granted to 6th respondent for quarrying the Silt (Savudu) in Thirukandalam lake (Isa Eri) from 30.07.2013 vide purported proceedings of 2nd respondent bearing RC.No.476/2013/G & M-2 dated 30.07.2013 for 50 days from 31.07.2013 to 18.09.2013 and

consequently forbear the respondents from any carrying out any kind of mining activities in Thirukandalam lake (Isa Eri) situated in S.No.352/1 at Thirukandalam Village, Uthukottai Taluk, Thiruvallur District.

For Petitioner : Mr.R.Veeramani

For Respondents : Mr.STS.Moorthy
Govt. Pleader for R1 to R5

Mr.K.Seetharam for R6

O R D E R

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

The prayer made in the writ petition seeking cancellation of the permit granted to respondent No.6 has worked itself out on account of lapse of time. The learned counsel for respondent No.6 states that certain actions have been taken by the respondent authorities, in respect of which, the appeal is pending, which is not being disposed of on account of the pendency of the Public Interest Litigation.

2. We are quite surprised to know the aforesaid, as there was no impediment for disposal of the appeal. In fact, the learned counsel for the petitioner joins in the request that the respondent authorities should expedite the disposal of the appeal of respondent No.6 on merits. He also makes a further prayer that the subsequent facts of some fabricated documents being made by respondent No.6 need to be enquired into.

3. In view of the aforesaid, the respondent authorities are directed to dispose of the appeal expeditiously and so far as the fresh allegation of the petitioner is concerned, that would be a matter for the respondent authorities to look into, in order to verify the merits of the allegation.

4. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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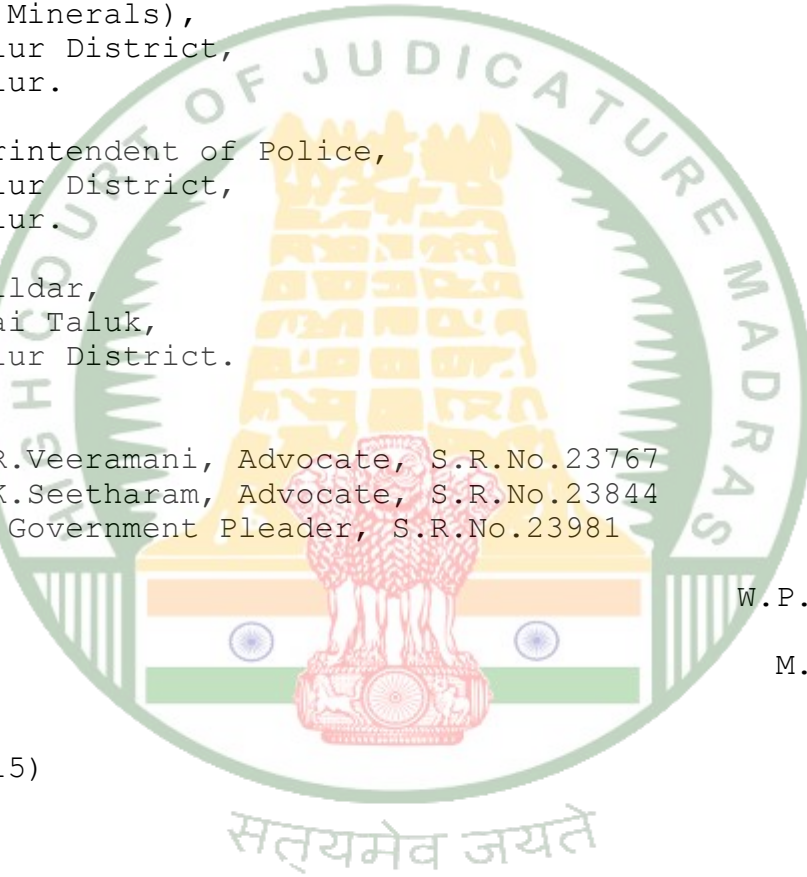
To

1. The Secretary,
Public Works Department,
Fort St. George,
Chennai-600 009.
2. The Collector,
Thiruvallur District.
3. The Assistant Director,
(Mines & Minerals),
Thiruvallur District,
Thiruvallur.
4. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
5. The Tahsildar,
Uthukottai Taluk,
Thiruvallur District.

+1cc to Mr.R.Veeramani, Advocate, S.R.No.23767
+1cc to Mr.K.Seetharam, Advocate, S.R.No.23844
+1cc to the Government Pleader, S.R.No.23981

W.P.No.24554 of 2013
and
M.P.No.1 of 2013

PVR (CO)
CA(07/05/2015)



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