



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

and

THE HONOURABLE MR.JUSTICE **V.S.RAVI**

W.A.(MD)No.887 of 2015

Annammal Jessinthal

.. Appellant/Petitioner

Vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.Charles

.. Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause15 of the letters patent, against the order dated 29.01.2014 made in W.P(MD).No.7398 of 2010 of this Hon'ble Court.

Prayer in WP(MD). 7398/ 2010 :

To issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of a Writ of Mandamus forbearing the 2nd respondent herein from quarrying stones in Old Survey No.4213, Re-Survey No.2 of Vadaseri Village, Agasteeswaram Taluk, Kanyakumari District of an extend of 1 acre 41 cents by passing appropriate direction, directing the 1st respondent for taking action against 2nd respondent in the light of the representation dated 27.05.2010 and 01.06.2010 and pass such further or other orders as this Hon ble Court may deem fit and proper in the circumstances of the case.

For Appellant : Mr.T.Selvakumaran

For respondents : Mr. A.K.Baskara Pandian
Special Government Pleader
for R1

No appearance for R2.

JUDGMENT

[Order of the Court was made by **S.NAGAMUTHU, J**]

The appellant has come up with this Writ Appeal, <https://hcservices.ecourts.gov.in/hcservices/> challenging the order of the Writ Petition made in W.P(MD).No.7398 of 2010 dated 29.01.2014.



2. The said Writ Petition was filed by the petitioner seeking a direction to the first respondent herein to forbear the second respondent from quarrying stones in old Survey No.4213, Re-Survey No.2 of Vadaseri Village in Kanyakumari District. The said Writ Petition was closed by the learned single Judge, since it was represented by the Government that all quarrying operations have been stopped in all the lands. Thus, according to the learned single Judge, there was no further direction required in the matter. The appellant is aggrieved by the same.

3. We have heard the learned counsel appearing for the appellant, the learned Special Government Pleader appearing for the first respondent and perused the records carefully.

4. The learned counsel for the appellant would submit that the appellant is entitled for compensation, because quarrying operation was held on her property by the second respondent. If that is the grievance, the remedy for the appellant is to work out before the Civil Court. Since we do not find any infirmity in the order passed by the single Judge, we are inclined to dismiss this appeal. Accordingly, this Writ Appeal is dismissed. No Costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To
The District Collector,
Kanyakumari District,
Nagercoil.

+1cc to Mr.T.Selvakumaran, Advocate Sr.No.48779
pjl/rr
AA/09.09.2015/2p-3c

JUDGMENT MADE IN
W.A. (MD) No.887 of 2015
20.08.2015