



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR
and
THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.16215 of 2015

P.Santhana Muthaiah @ Kubendran

... Petitioner

Vs.

1.The District Collector,
Theni District.

2.The Assistant Director
(Geology & Mininig)
Collectorate Complex,
Theni District.

3.P.Balasundarraaj
4.K.Prem

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the 1st and 2nd respondents to take appropriate action against the respondents 3 and 4 under Rule 36(5)(h) of Tamil Nadu Minor Minerals Concession Rules 1959 for the illegal sand quarrying activity carried out by them in lands in and around the Rasingapuram Village, Bodinayakanur Taluk, Theni District other than the permitted ordinary sand (காற்றடி மணல்) quarrying in Survey Nos.100/1, 111/3 & 111/4 in the above said village on the basis of petitioner's representation dated 13.08.2015.

For Petitioner

: Mr.V.Sankaranarayanan

For Respondents 1 & 2

: Mr.N.S.Karthikeyan

Addl.Government Pleader

ORDER

(Order of the Court was made by **R.SUDHAKAR, J.**)

The prayer in the writ petition appears to be totally and motivated. It is seen that in the representation, allegations were made only against M.Sivanesan and K.Prem whereas in



the affidavit filed in support of this writ petition, one P.Balasundarraaj has been impleaded as third respondent. It is not clear, for what reason, he has been added as respondent. Therefore, we do not find any justification to entertain the writ petition except directing the petitioner to resubmit his representation in a very clear and proper form with the competent authority.

2.With the above observation, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(C.O.)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Theni District.

2.The Assistant Director
(Geology & Mininig)
Collectorate Complex,
Theni District.

+1cc to The Special Government Pleader Sr.No.52691

akm/14.09.2015 /2p-4c/

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