

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.8699 of 201

Thangamani

.. Petitioner

-vs-

1.The District Collector,
Vellore District, Vellore.

2.The Assistant Director of Mines,
(Department of Mines and Minerals)
Vellore District, Vellore.

3.Sekar

4.Palani

5.Mahalingam

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to forbear the respondents 1 and 2 from allowing 3 to 5 or any other persons to carry out the illegal stone quarry work at ''Panniyara Sippai'' hills with an extent of 52 acres in Survey Nos.71/1, 71/2, 71/3 at Appukal Village, Anaicut Via, Vellore Taluk and take action as against the 3rd to 5th respondents who are doing the illegal stone quarry work.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P. &
Mr.V.Shanmuga Sundar, G.A.
For RR 1 & 2.
: MR.R.Saravanakumar for RR 3 to 5

O R D E R

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

The grievance made by the petitioner is that respondents 3 to 5 have been carrying on illegal stone quarrying.

2.The leases in question have expired in March / May 2014. The representation was made by the petitioner on 06.03.2012. On the representation, the Tahsildar is stated to have directed field inspection to measure the leased out area to find out whether there was any illegal quarrying and if violation is found, the Tahsildar was required to send a report to the Revenue Divisional Officer to ensure that penalty is levied. The Assistant Director Survey, Vellore, was also directed to conduct the necessary survey.

3.The current picture is not placed before us by either of the parties, but the learned counsel for respondents 3 to 5 states that no quarrying activity is now going on, as the lease period has expired.

4.We are, thus, of the view that the only direction required is that the District Collector / the first respondent should ensure that his directions have been taken to the logical consequence and if any infirmity is found, necessary penalty imposed and amount recovered. The exercise be completed within a maximum period of two (2) months from the date of intimation of the order, with intimation to the petitioner.

5.Writ Petition, accordingly, stands disposed of. No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

sra

To

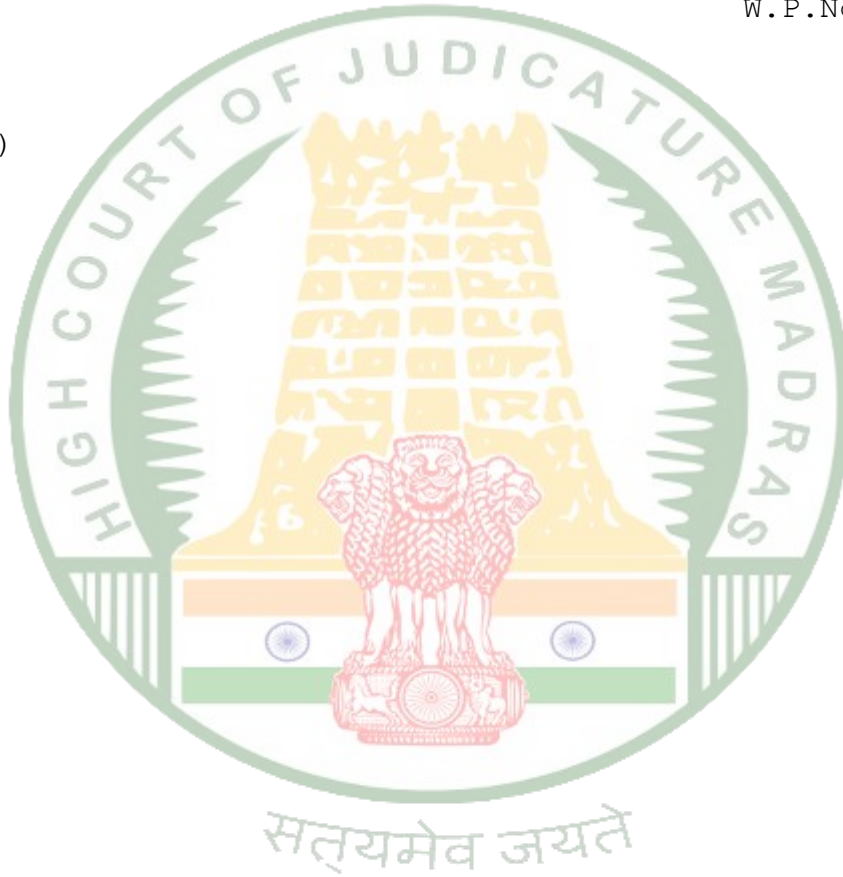
1.The District Collector,
Vellore District, Vellore.

2.The Assistant Director of Mines,
(Department of Mines and Minerals)
Vellore District, Vellore.

1 cc to Mr.R.. Saravanakumar, Advocate, Sr. 3653
1 cc to Mr.D. Rajagopal, Advocate, sr. 3273
1 cc to Government Pleader, Sr. 3797

W.P.No.8699 of 2012

SCD (CO)
kk 3/2



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