

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2016

CORAM

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

W.P.No.13578 of 2013
and
M.P.Nos.1 and 2 of 2013

R.Ranganathan .. Petitioner

-vs-

1.Government of Tamil Nadu,
rep. by its Secretary,
Public Works Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Kancheepuram,
Kancheepuram District.

3.The Assistant Director,
Mines & Minerals,
Collectorate Office,
Kancheepuram.

4.R.Krishankumar .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the second and third respondents to take immediate action against the fourth respondent for quarrying sand from Asthinapuram lake more than 1 meters to 1.5 meter depth beyond the permitted limit and also within the prescribed limit or distance of 10 to 15 meters between the river bank and the mining area in the Asthinapuram lake and its lake bed comprised in S.No.38, Asthinapuram village, Chengalpattu Taluk, Kancheepuram District.

For Petitioner	:	Mr.S.D.Venkadeswaran for M/s.Dr.C.Ravichandran
For Respondents	:	Mr.STS.Moorthy Government Pleader assisted by Mr.V.R.Kamalanathan Addl. Govt. Pleader for R1toR3

ORDER

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

The period for which the mining of Savudu was permitted was four months from 10.01.2013 to 09.05.2013, which has already expired. On a representation of the petitioner dated 16.04.2013 that more earth than the permitted depth was removed and that earth was also removed from the bund without leaving safety distance, action was directed to be taken, on verification by the Revenue Divisional Officer and the Block Development Officer. As to what transpired is still not known to the learned counsel for the government.

2. We expect that necessary action of measurement of the depth and the allegation of the mining being too close to the bund would have to be verified by the authorities concerned and if the allegations are found to be correct, action is required to be taken in accordance with law. This exercise be completed within one month of the receipt of this order with intimation to the petitioner of the result thereof.

3. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.Nos.1 and 2 of 2013 are closed.
bbr

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Secretary,
Public Works Department,
Fort St. George, Chennai-600 009.

2.The District Collector,
Kancheepuram, Kancheepuram District.

3.The Assistant Director,
Mines & Minerals,
Collectorate Office,
Kancheepuram.

+ 1 cc to Dr.C.Ravichandran, Advocate SR 36016

+ 1 cc to Govt.Pleader SR 35658

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