

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.11.2016

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

Writ Petition No.14710 of 2013
and M.P. No.1 of 2013

P.Nagaraj

.. Petitioner

Vs

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Deputy Director,
Town and Country Planning Department,
Coimbatore.
3. The Executive Officer,
Kannampalayam Town Panchayat,
Kannampalayam Village and post,
Sulur Taluk,
Coimbatore District.
4. The Assistant Director of Geology and Mining,
Office of the District Collector,
Coimbatore

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents not to grant any approval for forming the layout and construction within the radius of 300 meters from the quarry site in S.F.Nos. 39/2(p), 106/1B(p) and 106/1D(p) of Kannampalayam Village, Sulur Taluk (formerly Palladam Taluk), Coimbatore District.

For Petitioner : Mr.S.Sithirai Anandam

For Respondents : Mr.R.Govindasamy
Spl. Govt. Pleader.

* * * * *

O R D E R

The petitioner was granted a lease of a quarry in Survey Nos. 39/2(p), 106/1B(p) and 106/1D(p) of Kannampalayam Village, Sulur Taluk (formerly Palladam Taluk), Coimbatore District. The lease was

for a period commencing from 18.05.2010 to 17.05.2015 and apparently the lease period has expired as on date. The petitioner's grievance is that the residents are attempting to obtain approval for formation of lay out and construction within the radius of 300 meters from the quarry site. Since the lease has already expired, there is no cause of action for considering the petitioner's claim at this stage. Nevertheless, in case the petitioner's lease has been renewed, it will be open to the petitioner to give a fresh representation to the second respondent, venting out his grievances and on receipt of such a representation, the second respondent shall consider the same on its own merits and pass orders in accordance with law within six weeks from the receipt of the copy of this Order.

2. With these observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

vsi2

To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Deputy Director,
Town and Country Planning Department,
Coimbatore.
3. The Executive Officer,
Kannampalayam Town Panchayat,
Kannampalayam Village and post,
Sulur Taluk,
Coimbatore District.
4. The Assistant Director of Geology and Mining,
Office of the District Collector,
Coimbatore.

+1 cc to MR.S.SITHIRAI ANANDAM, Advocate SR.NO. 66518

W.P.No.14710 of 2013

ssi[co]

RD 09/12/2016