

In the High Court of Judicature at Madras

Dated : 25.7.2016

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.25766 of 2016

N.Chinnathambi

...Petitioner

Vs

1.The District Collector, Villupuram
District, Villupuram.

2.K.Muthu

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 20.6.2016 and take suitable legal action as against the second respondent.

For Petitioner : No appearance

For Respondent-1 : Mr.R.Lakshmi Narayanan, AGP

ORDER

None appears for the petitioner. Mr.R.Lakshmi Narayanan, learned Additional Government Pleader accepts notice for the first respondent. In view of the limited nature of the relief sought, the writ petition itself is taken up for final disposal without ordering notice to the second respondent.

2. The petitioner claims to be a permanent resident of Maragadhapuram Post, Villupuram District. He has expressed his grievance against the second respondent, who has been granted a licence to excavate sand. In the affidavit filed in support of the writ petition, the petitioner would state that the second respondent is violating the licence conditions.

3. This Court is unable to assess the bona fides of the petitioner's claim. The petitioner's specific contention is that the second respondent is excavating river bed and transporting sand and that he made trenches and pits to the depth of 30 feet by using heavy earth moving equipment, which are all against the licensing conditions. The petitioner made even an allegation against the officials stating that they are also hands in glove

with the second respondent. In any event, the writ petition is being disposed of without notice to the second respondent, the merits of the allegations made by the petitioner as against the second respondent are not gone into and they are left open to the first respondent to consider.

4. In the light of the above, the writ petition is disposed of directing the first respondent to consider the petitioner's representation dated 20.6.2016 on merits, to depute one of the Senior Officers to conduct a surprise inspection of the area and submit a report and to pass a speaking order after affording an opportunity of personal hearing to the second respondent, within a period of three weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

The District Collector,
Villupuram District,
Villupuram.

+1cc to M/S.C.Munusamy, Advocate Sr.42023
+1cc to the Government Pleader Sr.42131

WP.No.25766 of 2016

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