

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.26985 of 2009

K.Balakrishnan

... Petitioner

Versus

1.Government of Tamilnadu
rep. by its Secretary,
Department of Industries,
Fort St.George, Chennai 600 009.

2.Government of Tamilnadu
rep. by its Secretary,
Environment and Forest Department,
Fort St.George, Chennai 600 009.

3.The District Collector,
Kancheepuram District,
Kancheepuram, Tamilnadu.

4.The Revenue Divisional Officer,
Chengalpattu Revenue District,
Tambaram Circle, Kancheepuram District.

5.The Director of Mines Safety
Directorate General of Mines Safety,
Government of India, Old No.46, New No.5, 2nd Street,
Block 'AA', Anna Nagar, Chennai 600 040.

6. Tamil Nadu Pollution Control Board,
rep. by its Chairman,
No.76, Mount Salai,
Guindy, Chennai 600 032.

7.A.Kumar

8.R.Gurunathan

9.Mariyadoss,

10.S.Gnanasekaran

11.The Commissioner,
Hindu Religious Endowment Department,
Nungambakkam, Chennai

12.E.Sekar.

13.S.Mohan

14.The Project Director,
National Highway Authority of India,
Regional Office, 8th Floor, Annex Building,
SPIC House, 88, Anna Salai,1
Guindy, Chennai 600 032.

15.The Chief Inspector of Factories,
Labour Department,
Government of Tamilnadu,
Teynampet, Chennai 18.

16.The Tamil Nadu Stone Quarry Lease
Holder Welfare Association,
rep. by its President Mr.B.Vaidivel Murugan,
No.20, Duraiswamy Pillai Street,
Tambaram West, Chennai 600045.

17.Kancheepuram District Stone Quarrying
Lease Holders Welfare Association,
Regn. No.239/2003, rep. by its Secretary, S.Sriram
No.66, Dr.Rajendraprasad Road, Krishna Nagar,
Chrompet, Chennai 600 044.
(R.14 to R.17 impleaded as per order dated 17.02.2010
and 7.4.2010 by EDRJ and NPVJ & KKSJ and KKSJ
in MP.Nos.2,4 and 5 of 2010 ... Respondents

Petition filed under Article 226 of the Constitution of
India praying for the issue of a writ of Declaration, to declare
that the leases to respondents Nos.7 to 10 in Quarry Nos.1,2,3,
3A and 4 in S.No.234/2 in Thiruneermalai Village, Tambaram
Taluk, Kancheepuram District is illegal and consequently to
direct respondents Nos.1 to 6 from in any manner permitting
respondent Nos.7 to 10 from continuing to quarry in the said
areas with appropriate Directions for remediation of the site
and compensation to restore the temple and the buildings and the
health of the people of the said village.

For Petitioner ::: Mr.Balan Haridas.

For Respondents ::: Mr.S.T.S.Murthi

Special Government Pleader
assisted by Mr.V.Shanmugasundaram
for R.1 to R.4

Mr.M.Damodharan for R.5
Mrs.Rita Chandrasekaran for R.6 and R.7

Mr.K.Ramakrishna Reddy for R.16
Mr.V.Karthikeyan for R.9
Mr.K.A.Ravindran for R.10
No appearance for R.12 and R.13
Mr.L.Chandrakumar for R.17

O R D E R

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

It is stated that no quarrying is now taking place and
thus, the writ petition has worked itself out.

2. The writ petition is thus closed, leaving the parties
to bear their own costs. Consequently, M.P.Nos.1 and 2 of 2009
and M.P.No.3 of 2010 are closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1.The Secretary, Department of Industries, Fort St.George,
Chennai 600 009.

2.The Secretary, Environment and Forest Department,
Fort St.George, Chennai 600 009.

3.The District Collector, Kancheepuram District, Kancheepuram,
Tamilnadu.

4.The Revenue Divisional Officer, Chengalpattu Revenue District,
Tambaram Circle, Kancheepuram District.

5.The Director of Mines Safety, Directorate General of Mines
Safety, Government of India, Old No.46, New No.5, 2nd Street,
Block 'AA', Anna Nagar, Chennai 600 040.

6. The Chairman,
Tamil nadu Pollution Control Board
No.76, Mount Salai, Guindy, Chennai 600 032.

7.The Commissioner,
Hindu Religious Endowment Department,
Nungambakkam, Chennai

8.The Project Director,
National Highway Authority of India,
Regional Office, 8th Floor, Annex Building,
SPIC House, 88, Anna Salai, Guindy, Chennai 600 032.

9.The Chief Inspector of Factories, Labour Department,
Government of Tamilnadu, Teynampet, Chennai 18.

1 cc to Mr.B. Hari Krishnan, Advocate, Sr. 38019
1 cc to MR.R. Vaigai, Advocte, Sr. 38082
1 cc to Government Pleader, Sr. 38184

VS (CO)
kk 23/7

W.P.No.26985 of 2009



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