

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.29952 of 2016 &
W.M.P.No.25907 of 2016

R.Selvam

.. Petitioner

..Vs..

1.The District Collector
Tiruvallore District
Tiruvellore.

2.The Assistant Director Geology and Mining
Tiruvallore District,
Tiruvallore.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the first respondent to issue necessary proceedings in favour of the petitioner to quarry 4770 lorry loads of gravel in PWD tank comprised in S.No.296, No.56, Sengarai Village, Uthukottai Taluk, Tiruvallur District for the period of 45 days pursuant to the petitioner's Application dated 27.01.2016, within the prescribed time limit to be fixed by this Court.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.S.Diwakar
Spl.Govt.Pleader

ORDER

Heard Mr.M.Muthappan, learned counsel for the petitioner and Mr.S.Diwakar, learned Special Government Pleader accepting notice on behalf of the respondents. By consent, the writ petition itself is taken up for final disposal.

2.The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus to direct the first respondent to issue necessary proceedings in his favour to quarry 4770 lorry loads of gravel in PWD tank comprised in S.No.296, No.56, Sengarai Village, Uthukottai Taluk, Tiruvallur District for the period of 45 days pursuant to his Application dated 27.01.2016.

3.As rightly pointed out by the learned Special Government Pleader appearing for the respondents that as per the proceedings of the District Collector dated 18.09.2015, the petitioner has to obtain necessary Environment Clearance from State Level Environment Impact Assessment Authority, Tamil Nadu, however, there is no record to show that the petitioner has obtained such clearance.

4.Under such circumstances, there will be a direction to the petitioner to obtain necessary Environment clearance and thereafter approach the respondents and if the petitioner secures appropriate

clearance, then the first respondent shall consider the petitioner's Application in accordance with law, by placing the same before the Special Committee which has been constituted, as contemplated under Rule and based on the recommendation of the Special Committee, the District Collector shall pass appropriate orders on the petitioner's Application.

The Writ Petition is disposed of on the above terms. Consequently, connected miscellaneous petitions are closed. No costs.

29.08.2016

rpa

To

1.The District Collector
Tiruvallore District
Tiruvallore.

2.The Assistant Director Geology and Mining
Tiruvallore District,
Tiruvallore.

T.S.SIVAGNANAM, J

rpa

W.P.No. 29952 of 2016

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