

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2016

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No. 382 of 2016
and WMP.No.267 of 2016
and WMP.No.4537 of 2016

1. G.Jothiramalingam
2. G.Vasudevan .. Petitioners
v.
1. The District Collector
Vellore District,
Vellore.
2. The Executive Engineer (WRO)
Upper Pallar Basin Division,
Public Works Department,
Gandhi Nagar, Vellore - 632 006.
3. The Asst. Executive Engineer (WRO)
Upper Pallar Basin Division,
Public Works Department,
Vellore.
4. The Asst. Executive Engineer (WRO)
Upper Pallar Basin Division,
Public Works Department,
Ranipet.
5. The Asst. Executive Engineer (WRO)
Upper Pallar Basin Division,
Public Works Department,
Kudiyatham,
Vellore District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioners representation, dated 11.12.2015 and sell the sand directly to the petitioners from the PWD sand quarry depot in Vellore District either in tractor / lorry / tipper lorry on payment of necessary charges.

For Petitioners: Mr.M.Muthappan

For Respondents: Mr.T.N.Rajagopalan,
Special Government Pleader for R1

Mr.Abdul Saleem for R2 to R5

ORDER

The petitioner has filed the above writ petition to issue a writ of Mandamus, directing the respondents to consider the petitioners representation, dated 11.12.2015 and sell the sand directly to the petitioners from the PWD sand quarry depot in Vellore District either in tractor / lorry / tipper lorry on payment of necessary charges.

2. When the matter is taken up for hearing, Mr.Abdul Saleem, learned counsel appearing for respondents 2 to 5 submitted that the second respondent has already considered the petitioners' representation, dated 11.12.2015 and passed orders on 31.12.2015, stating that the sand quarrying operation was temporarily suspended and that from 23.12.2015 onwards the sand quarry operations have started functioning. Therefore, the petitioners were requested to approach the fourth respondent along with Demand Draft for the required amount and get the sand from the fourth respondent.

3. Mr.Abdul Saleem, learned counsel appearing for the respondents 2 to 5 also submitted that the petitioners can buy sand on any day from any of the sand quarry functioning in the Vellore District, namely Kavanur-Kandaneri at Katpadi and Anaikut Taluks, Kilambadi Sand quarry and Valavanur sand quarry at Arcot Taluk, Azhinju Kuppan-Melmurungai Sand quarry at Gudiyatham Taluk and Minnur-Vadagarai sand quarry at Ambur Taluk with lorries or sand quarries at Rangapuram village in Vellore Taluk and Marapattu village in Vaniambadi Taluk with Bullock carts. Learned counsel appearing for the respondents 2 to 5 further submitted that the respondents are willing to give effect to the order, dated 31.12.2015 passed by the second respondent.

4. Recording the submissions made by the learned counsel appearing for the respondents 2 to 5, this writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

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Public Works Department,
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Upper Pallar Basin Division,
Public Works Department,
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Upper Pallar Basin Division,
Public Works Department,
Ranipet.
5. The Asst. Executive Engineer (WRO)
Upper Pallar Basin Division,
Public Works Department,
Kudiyatham,
Vellore District.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.19314

+1cc to Mr.Mr.Abdul Saleem, Advocate, S.R.No.19407

+1cc to the Government Pleader, S.R.No.19376

W.P.No.382 of 2016

kk(CO)
srg(01/04/2016)