

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.4499 of 2016

Sukumar

... Petitioner

Vs.

1. The District Collector, Cuddalore District.
2. The District Revenue Officer, Cuddalore District.
3. The Tahsildar, Panruti Taluk, Cuddalore District.
4. Raghu

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first and second respondents to consider the petitioner's representation, dated 06.11.2015 and consequently to direct the first and second respondents to take action as against the concerned lorry owners, within the time frame as stipulated by this Court.

For Petitioner : M/s.Annamma K.
For Respondents : Mr.P.Sanjay Gandhi,
Addl.G.P. for RR-1 to 3

ORDER

The Writ Petition is filed for issuance of a Writ of Mandamus to direct the first and second respondents to consider the petitioner's representation, dated 06.11.2015 and consequently direct the first and second respondents to take action as against the concerned lorry owners, within the time frame that may be stipulated by this Court.

2. It is the case of the petitioner that he is a resident of Cuddalore District, Kandarakottai Village. The main water source for Kandarakottai Village is the river "Thenpennai", which never went without water, even though drought prevailed all over India. Unauthorised persons like the fourth respondent are doing sand quarry business in the said river bed and they are drawing the sand from the entire river and selling the same and are transporting the sand through lorry and huge trucks. In order to

escape from paying excise duty and toll fee, the heavy vehicles are moving into small villages and causing damages to the roads, and moreover, the village roads are not as per specifications and unfit for heavy vehicle transportation. It is the further case of the petitioner that day-by-day, the villagers are facing untold sufferings because of the air and noise pollution, due to which, many villagers migrated from their own villages. The petitioner further stated that on 06.11.2015, he sent a representation to the respondents 1 to 3, stating the above facts, for which, there was no reply from them. The second respondent issued a letter, dated 30.11.2015, requesting the third respondent to take appropriate action. Till date, the third respondent has not taken any action. Hence, the petitioner has filed this Writ Petition for the above relief.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondents 1 to 3.

4. Considering the limited scope of the prayer made in this Writ Petition, this Writ Petition is disposed of, with a direction to the first respondent to consider the said representation, dated 06.11.2015 preferred by the petitioner, and after giving an opportunity of hearing to the petitioner and necessary parties including the fourth respondent, dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner. No costs.

cs

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

Copy to

1. The District Collector, Cuddalore District.
2. The District Revenue Officer, Cuddalore District.
3. The Tahsildar, Panruti Taluk, Cuddalore District.

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