

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.5000 of 2016

J.Mohanraj

.. Petitioner

-vs-

1.The Chief Secretary,
Govt. of Tamil Nadu,
Secretariat, Chennai.9

2.The Collector,
Theni District.

3.Commissioner of Geology and Mining,
Guindy, Chennai.

4.The Principal Chief Conservator of
Forests, Panagal Building,
Saidapet, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to dispose of the petitioner's representation dated 02.11.2015 regarding the missing hillock therein so far as the petitioner is concerned.

For Petitioner : Mr.J.Mohanraj
Party-in-person

For Respondents : Mr.S.T.S.Murthi,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.
for RR 1 to 4

O R D E R

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

The petitioner claims that the hillock had disappeared ! We fail to appreciate the stand, as, if there was a hill at some stage of time and the petitioner was interested in the same, he would have had knowledge as to by what activity the hill is alleged to have disappeared rather than claiming that there should be some kind of vigilance enquiry into it.

2.The petitioner claims to have addressed a representation dated 30.09.2013, which was not responded to and then, a Public Interest Litigation was filed, in which it was stated that the said methodology could not be adopted and the petitioner was given liberty to get information under the Right to Information Act. The information was made finally available under the Right to Information Act vide proceedings dated 30.06.2015 indicating that the land in question is a poramboke land on which no lease was given by the District Collector to quarry gravel sand from the said land. The last representation dated 02.11.2015, which is specific in character, is made alleging that how could a hill area completely disappear, that too in the vicinity of the Collector's camp office, as also of the Superintendent of Police. This letter is addressed to the Chief Secretary. The representation also states that it is acknowledged that no tender was floated for quarrying. There has also been a reminder to the same sent through e-mail on 22.12.2015.

3.In view of the aforesaid, we are of the view that the only direction to be passed is for the representation of the petitioner dated 02.11.2015 and the subsequent reminder dated 22.12.2015 to be responded to by the District Collector, within a period of one (1) month of the receipt of a copy of this order, specifically answering the issue qua the fate of what is claimed to be a hillock.

4.Writ Petition, accordingly, stands disposed of. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

sra

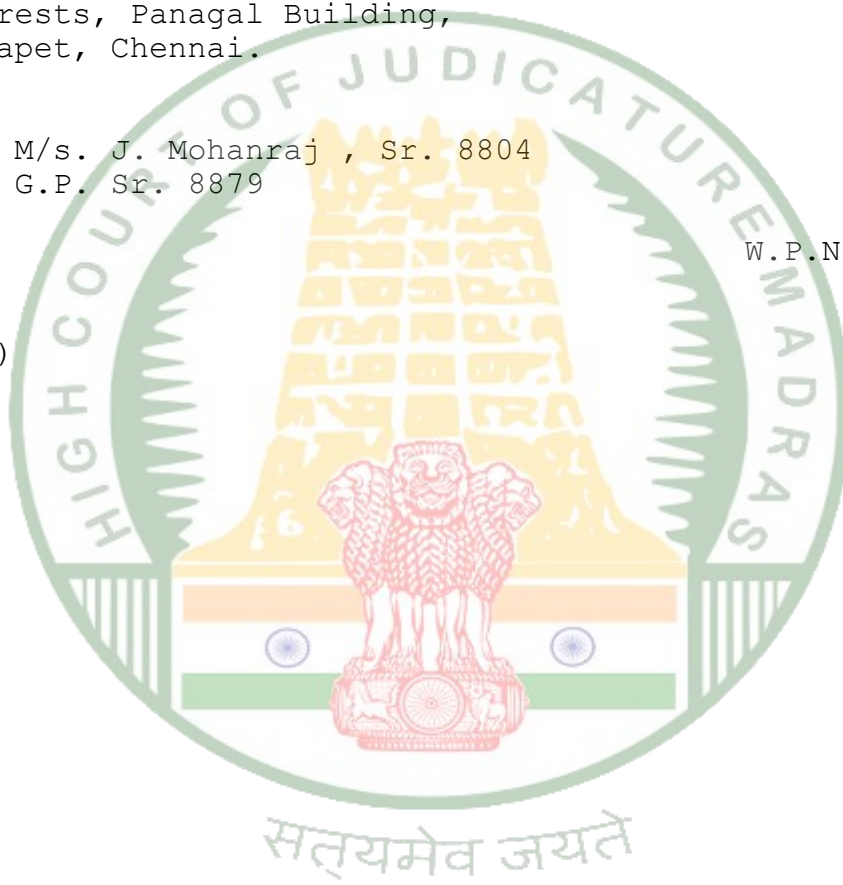
To

- 1.The Chief Secretary,
Govt. of Tamil Nadu,
Secretariat, Chennai.
- 2.The Collector, Theni District.
- 3.The Commissioner of Geology and Mining,
Guindy, Chennai.
- 4.The Principal Chief Conservator of
Forests, Panagal Building,
Saidapet, Chennai.

1 cc to M/s. J. Mohanraj , Sr. 8804
1 cc to G.P. Sr. 8879

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