



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**
and
THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P (MD) No.21497 of 2015

T.VIJAY ANAND
S/O. THANGAVELU KOOHUR VILLAGE
LALGUDI TALUK
TRICHY DISTRICT.

.. Petitioner

Vs.

- 1 THE GOVT. OF TAMIL NADU
REP. BY ITS CHIEF SECRETARY PUBLIC WORKS
DEPARTMENT ST. GEORGE FORT CHENNAI.
- 2 THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT WATER RESOURCES
RIVER SAFETY DIVISION CHEPAUK CHENNAI.
- 3 THE DISTRICT COLLECTOR
TRICHY DISTRICT TRICHY.
- 4 THE EXECUTIVE ENGINEER
PWD/WRO RIVER COSERVANCY DIVISION TRICHY 1.
- 5 THE REVENUE DIVISIONAL OFFICER
LALGUDI DIVISION TRICHY DISTRICT.
- 6 THE THASILDHAR
LALGUDI TRICHY DISTRICT.

.. Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus restraining the respondents from doing sand quarry operation in Survey No.S.F.No.144(P) Koohur village Lalgudi Taluk Trichy District against specific conditions imposed in the environmental clearance issued by the state level environment impact assessment authority by letter dated 11.02.2015.



For Petitioner : M/s.V.P.Rajan
For Respondents : Mr.M.Govindan for R1,R3 to R6
Spl. Government Pleader
No appearance for R2

WEB COPY

ORDER

(Order of the Court was made by S.NAGAMUTHU, J.)

The petitioner has come up with this public interest litigation alleging that for quarrying in the Kollidam River, as per the license granted, gravel roads have been laid across the Kollidam River at many places for the purpose of taking the lorries to the quarry site.

2. When this petition came up for hearing on 21.09.2016, the learned counsel for the petitioner reiterated his claim that there were such gravel roads across the Kollidam river in Koohur Village, Lalgudi Taluk in Trichy District. That was disputed by the learned Special Government Pleader. Therefore, this Court directed both the parties to file respective affidavits.

3. Today, the Executive Engineer, Public Works Department, WRO, RC Division, Trichy 1, has filed the affidavit, where he has stated that to reach the sand quarry, only road has been made using sand with biodegradable material and there is no road across the river.

4. In the affidavit filed by the petitioner, for operating sand quarry, during the month of August and September 2015, in Koohur Village, across Kollidam River, gravel road was laid by the respondents. But, in the month of April 2016, they have been removed. Thus, even according to the petitioner, as of now, there is no gravel road lying across the river. Therefore, no direction as prayed for could be granted. Accordingly, this petition is dismissed. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

TO

1 THE CHIEF SECRETARY PUBLIC WORKS
DEPARTMENT ST. GEORGE FORT CHENNAI.

2 THE CHIEF ENGINEER

<https://hcservices.eopu.gov.in/hcs/Order>
PUBLIC WORKS DEPARTMENT WATER RESOURCES
RIVER SAFETY DIVISION CHEPAUK CHENNAI.



3 THE DISTRICT COLLECTOR
TRICHY DISTRICT TRICHY.

4 THE EXECUTIVE ENGINEER
PWD/WRO RIVER CONSERVANCY DIVISION TRICHY 1.

5 THE REVENUE DIVISIONAL OFFICER
LALGUDI DIVISION TRICHY DISTRICT.

6 THE THASILDHAR
LALGUDI TRICHY DISTRICT.

+1 cc to M/S.SPECIAL GOVERNMENT PLEADER SR.NO.58309

ORDER MADE IN
W.P (MD) No.21497 of 2015
30.09.2016

SMA/MPA-EM/18/10/2016 :3P/8C