



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU
AND
THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.[MD].Nos.13018 and 16881 of 2016
and
W.M.P. (MD) .Nos.12246 to 12248 of 2016
in W.P. (MD) .No.13018/2016
and
W.M.P. (MD) .Nos.9829 and 9830 of 2016
in W.P. (MD) .No.16881/2016

W.P. (MD) .No.13018 of 2016

M.Chinnathambu

.. Petitioner

Vs.

1.The District Collector,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
The Revenue Divisional office,
Usilampatti, Madurai District.

3.The Tahsildhar,
Peraiyur Taluk, Madurai District.

4.S.Palaniappan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 1st respondent in his proceedings in Na.Ka.No.726/2015-Mines dated 06.07.2016 and quash the same as illegal and consequently forbear the 1st respondent herein to grant permission to any other person from mining the savudu soil in "Muthaiahyanar @ Periyakulam Kanmoi" comprised in Survey No.141/1 to the extent of 38.445 hectares situated at Chinnareddipatti Village, Periyur Taluk, Madurai District.

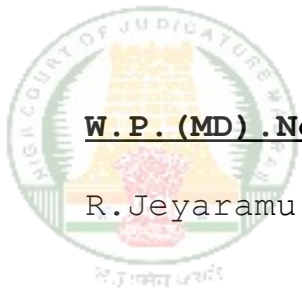
For Petitioner

: Ms.A.Banumathy

For respondents 1 to 3

: Mr.M.Govindan,

Special Government Pleader

**W.P. (MD) .No.16881 of 2016**

R.Jeyaramu

.. Petitioner

Vs.

1.The State of Tamil Nadu,
rep. by its Secretary,
Department of Mines and Minerals,
Fort St. George, Chennai -9.

2.The District Collector,
Madurai District, Madurai.

3.The Assistant Director of Geology and Mining,
O/o.the Assistant Director of Geology and Mining,
Collectorate, Madurai -1.

4.The Revenue Divisional officer,
Usilampatti, Madurai District.

5.The Block Development Officer,
T.Kallupatti Union, Madurai District.

6.The Superintendent of Police,
Madurai District, Madurai.

7.The Inspector of Police,
Peraiyur Police Station,
Peraiyur, Madurai District.

8.The Chinnareddipatti Village Panchayat,
rep. by its President,
Chinnareddipatti Village,
T.Kallupatti Union,
Madurai District.

9.S.Palaniappan

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.726/2015-Mines dated 06.07.2016 on the file of the respondent No.2 and quash the same as illegal and consequently for a direction, forbearing the respondents from granting permission to the respondent No.9 or any other person for quarrying sand in Chinnareddypatti Tank to an extent of 38.445 hectares situated in S.No.141/1, Chinnareddypatti Village, Peraiyur Taluk, Madurai District in violation of the Rule 36(1) of the Tamil Nadu Minor Mineral Concession Rules, 1959.



For Petitioner : Mr.T.Lajapathi Roy
For respondents 1 to 7 : Mr.M.Govindan,
Special Government Pleader

COMMON ORDER

WEB COPY [Order of the Court was made by S.NAGAMUTHU, J.]

These writ petitions have been filed as Public Interest Litigations, challenging the licence granted to one Mr.S.Palaniappan for quarrying the savudu soil in Muthaiahyanar @ Periyakulam Kanmoi and also seeking direction to the respondents not to grant licence to anybody in respect of the same.

2.When the matter came up for hearing today, the learned Special Government Pleader submitted that the licence period has already been over and as of now quarrying operation is not going on in the said Tank.

3.Recording the above submission of the learned Special Government Pleader, these Writ Petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary,
Department of Mines and Minerals, Fort St. George, Chennai -9.
 - 2.The District Collector, Madurai District, Madurai.
 - 3.The Assistant Director of Geology and Mining,
O/o.the Assistant Director of Geology and Mining,
Collectorate, Madurai -1.
 - 4.The Revenue Divisional officer, Usilampatti, Madurai District.
 - 5.The Block Development Officer,
T.Kallupatti Union, Madurai District.
 - 6.The Superintendent of Police, Madurai District, Madurai.
 - 7.The Inspector of Police,
Peraiyur Police Station, Peraiyur, Madurai District.
 - 8.The Tahsildhar, Peraiyur Taluk, Madurai District.
- +1 cc to M/s.T.Lajapathi Roy, Advocate in SR.No.61045
+1 cc to The Special Government Pleader in SR.No. 61145

Common Order made in