



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.24562 of 2016

Easwari Sundaramoorthy

.. Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Commissioner,
Hindu Religious and Charitable Endowments Trust,
Chennai.

3.The Inspector of Police,
Vigilance and Anti Corruption,
Madurai.

4.C.Thirumoorthy

5.S.Bose @ Sundaram

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pursuant to the impugned order of the third respondent dated 04.10.2016 and quash the same and consequentially direct the first respondent to conduct enquiry upon the representation on 21.11.2016 and to take appropriate action against the contractors who had stolen sand and blue metal stones illegally from the Oodai and river of Sathuragiri Hills and pass suitable orders in accordance with law within the time frame to be fixed by this Court.

For Petitioner

: M/s.Lakshmi Gopinathan
for M/s.Polax Legal Solutions.

For Respondents 1 to 3

: Mr.R.Velmurugan,
Government Advocate.

For Respondents 4 & 5

: No appearance

**ORDER**

[Order of the Court was made by A.SELVAM, J.]

WEB COPY This writ petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the order dated 04.10.2016 passed by the third respondent and quash the same by way of issuing a writ of certiorarified mandamus and also for giving necessary direction to the first respondent to conduct enquiry on the basis of the representation dated 21.11.2016.

2.It is averred in the petition that the respondents 4 and 5 have been given contract to put up a building in Sathuragiri Hills. But the respondents 4 and 5 have used to take sand and rock in Sathuragiri Hills. Under the said circumstances, a representation has been given on 21.11.2016. But no proper action has been taken and therefore the present writ petition has been filed for getting the relief sought therein.

3.Mr.R.Velmurugan, learned Government Advocate, has taken notice for the respondents 1 to 3.

4.The learned counsel appearing for the petitioner has argued on the basis of the averments made in the petition.

5.Considering the nature of grievance expressed on the side of the petitioner and also considering the fact that already fine has been imposed against the contractors for illegally taking soil and rocks from Sathuragiri Hills itself, this Court is of the view to give necessary direction to conduct enquiry on the basis of representation dated 21.11.2016. With the above observation, this writ petition is liable to be allowed in part.

6.In fine, this writ petition is allowed in part without costs and the first respondent viz., District Collector, Madurai District is strictly directed to conduct a detailed enquiry on the basis of representation dated 21.11.2016 and after giving proper opportunities to the persons concerned, pass suitable order within a period of one month.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar



To

- 1.The District Collector,
Madurai District.
 - 2.The Commissioner,
Hindu Religious and Charitable Endowments Trust,
Chennai.
 - 3.The Inspector of Police,
Vigilance and Anti Corruption,
Madurai.
- +1cc to M/S.Polax Legal Solutions, SR-82824
+1cc to Special Government Pleader,SR-83183

AAM/6c/2p/12.01.2017

ORDER MADE IN
W.P (MD) No.24562 of 2016
22.12.2016