



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.02.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.2822 of 2016
and
WMP (MD) Nos.2496 and 2497 of 2016

K.Arumugam

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Assistant Director,
Geology and Mining,
Collectorate,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent in Sl.No.17 of Pudukkottai District Gazette Notification No.1, dated 21.01.2016 and quash the same besides forbearing the respondents from commencing quarry operation in quarry No.3 in S.F.No.183/1 of Melur Village, Kulathur Taluk, Pudukkottai District.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.K.P.Krishnadoss,
Government Advocate

ORDER

Mr.K.P.Krishnadoss, learned Government Advocate takes notice for the respondents.

2.The Writ Petition is directed against the Serial No.17 of Pudukkottai District Gazette Notification No.1, dated 21.01.2016 issued by the first respondent with respect to granting licence for sand quarrying.

3. Though the said notification had scheduled about 62 quarries identified to be auctioned, the Writ Petitioner is concerned only with serial No.17 with respect to Survey No.183/1 of Melur Village.

<https://hcservices.ecourts.gov.in/hcservices/>

4. It is the case of the petitioner that there is a irrigation tank situated in Survey No.171, which is the source for the wet



lands in and around the said survey number. The petitioner apprehends that if the quarry operation starts in Survey No.183/1, the entire agricultural activities would be affected in and around the said survey number.

5. The petitioner is an individual, who has got lands belonging to him in Survey Nos.95, 96, 111, 112 and 114. From the survey sketch annexed with the typed set of papers, it can be seen that lands belonging to the petitioner is far away from the land, which is identified to be given for quarrying. The petitioner is not able say in what manner the quarry operations would affect the normal living of the villagers.

6. It is also further stated that there is one "Kannimar Theivangal Kugai Kovil", which has been visited by the villagers regularly. But, there is no material to show that the temple has been visited by the people and there is no objections from any of the villagers.

7. The petitioner has not made out any case, to stall the entire auction notice as the petition has been filed only in the private interest, which has also not been proved. Hence, this Writ Petition deserves to be dismissed and accordingly, the Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

pm

To

1.The District Collector, Pudukkottai District.

2.The Assistant Director, Geology and Mining,
Collectorate, Pudukkottai District.

+1CC to Spl.Government Pleader Sr.No.8144

GJM/SKs/RR/17.2.16-2p-4C

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