



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2016

CORAM:

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THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P. (MD) No.9549 of 2011

J.Anitha,
Represented by her power of Attorney
Mr.G.Ganesan

: Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Director,
Department of Geology and Mines,
Ramanathapuram,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Paramakudi Revenue Division,
Paramakudi,
Ramanathapuram District.
- 4.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
- 5.Mr.P.Durai Pandian

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, forbearing the respondent Nos.1 - 3 from allowing the respondent No.5 to carry on the illegal quarrying in the petitioner's patta lands in Survey Nos.232/2 and 235/3 at Kulanthapuri @ Arungulam Village, Paramakudi Taluk, Ramanathapuram District and consequently, to take necessary action against the respondent No.5 as per the Tamil Nadu Mineral Concession Rules, 1959, within the period of time stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents 1 to 4 : Mr.Aayiram K.Selvakumar,
Government Advocate

<https://hcservices.ecourts.gov.in/hcservices> For Respondent No.5 : Mr.R.Murali,
For Mr.K.Govindarajan



ORDER

The petitioner filed this Writ Petition to direct the respondents 1 to 3 to stop the illegal quarrying by the fifth respondent in the patta land in Survey Nos.232/2 and 235/3, Kulanthapuri @ Arungulam Village, Paramakudi Taluk, Ramanathapuram District.

2. According to the petitioner, the fifth respondent made an attempt to quarry minerals from the land in Survey Nos.232/2 and 235/3. The petitioner, therefore, filed this Writ Petition.

3. The Revenue Divisional Officer, Paramakudi, in her counter-affidavit, contended that inspection was conducted and it was found that considerable quantity of sand was taken from the land in Survey Nos.232/2, 235/3, 236/2, and 236/3. According to the Revenue Divisional Officer, she is in the process of conducting enquiry.

4. There is no dispute that the petitioner preferred a complaint to the Revenue Divisional Officer with an allegation that the fifth respondent illegally quarried minerals from the land in question. The Revenue Divisional Officer, on the other hand, contended that she is conducting enquiry in the matter. There is nothing on record to show as to whether the enquiry was completed by the Revenue Divisional Officer.

5. The Revenue Divisional Officer, Paramakudi Revenue Division, is directed to complete the enquiry, as indicated in paragraph No.6 of the counter-affidavit and thereafter, dispose of the representation submitted by the petitioner on merits and as per law, with notice to the fifth respondent. Such exercise shall be completed, within a period of three months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

SML

To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.



2.The Deputy Director,
Department of Geology and Mines,
Ramanathapuram,
Ramanathapuram District.

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3.The Revenue Divisional Officer,
Paramakudi Revenue Division,
Paramakudi,
Ramanathapuram District.

4.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.

+1cc to Mr.K.GOVINDARAJAN,Advocate Sr.No.49908

+1cc to Spl.Government Pleader Sr.No. 50174

JAM/13.10.16/DB/ 3P-7C

Order made in
W.P. (MD) No.9549 of 2011

Dated: 02.09.2016