



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.11.2016
CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.4841 of 2013
and
M.P.(MD)No.1 of 2013

C.Muthiah

.. Petitioner

-Vs-

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Assistant Director of Mines,
Collectorate,
Tirunelveli District.
3. The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.
4. Murugiah
5. S.Vanuva Malai

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the Respondents No.1 to 3 not to grant any permission so as to get right of mining sand and keeping the same in the style of forming a stockyard to the Respondents No.4 and 5 at Thamirabarani river bed situated in Survey No.208/20B, 209/1C, 210/1A3C and 210/1A3G (Patta No.800), Thirumalai Kozhundhupuram, Tirunelveli District based on petitioner's representation dated 21.01.2013.

For Petitioner : Mr.R.Anand
For Respondents : Mr.R.Anandha Raj (for R1 to R3)
Government Advocate
Mr.V.Kannan (for R4)
No Appearance (for R5)

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus, directing the Respondents No.1 to 3 not to grant any permission so as to get right of mining sand and keeping the same in the style of forming a stockyard to the Respondents No.4 and 5 at Thamirabarani river bed situated in Survey No.208/20B, 209/1C, 210/1A3C and 210/1A3G (Patta No.800), Thirumalai Kozhundhupuram, Tirunelveli District based on petitioner's representation dated 21.01.2013.



2.The prayer sought for in the writ petition directing the Respondents No.1 to 3 not to grant any permission to the respondents 4 and 5 to quarry sand in the Thamirabarani river area.

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3.The learned Government Advocate appearing for the respondents 1 to 3 would submit that already the District Collector has passed order dated 19.06.2013, rejecting the application filed by the respondents. Against that order an appeal is also pending.

4.The learned counsel appearing for the fourth respondent would submit that in view of the same no further adjudication is required in this writ petition.

5.In the above circumstances, since application filed by the respondents 4 and 5 were already rejected, no further order is required in the writ petition. Hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(C.S-II)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector, Tirunelveli District, Tirunelveli.

2.The Assistant Director of Mines,Collectorate,
Tirunelveli District.

3.The Revenue Divisional Officer, Tirunelveli,
Tirunelveli District.

+1cc to M/s.V.Kannan, Advocate, in SR No.69375.

+1cc to Special Government Pleader in SR.No.69787.

vsa
msm/km/07.12.16/p2/6c

W.P. (MD) No.4841 of 2013
and M.P. (MD) No.1 of 2013
16.11.2016