

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.7124 of 2017

P.Srinivasan

... Petitioner

Vs.

1.The Collector,
Villupuram District, Villupuram.

2.The Revenue Divisional Officer,
Villupuram District, Villupuram.

3.Murugan

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 & 2 to take appropriate action for the illegal earth quarrying by the 3rd respondent in Survey Nos.124/12 and 125/12 belonging to the petitioner and the adjacent lands and to prevent him in any manner further quarrying the lands at Pakkiripalayam Village, Vazhudavur, Villupuram Taluk and District and in accordance with law.

For Petitioner : Mr.SaiKrishnan for
M/s. Sai Bharath and Ilan
For R1 & R2 : Mr.C.Jagdish,
Special Government Pleader
R3 : Notice Dispensed with

O R D E R

Mr.C.Jagadish, learned Special Government Pleader, takes Notice for respondents 1 and 2. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself. Notice to the 3rd respondent is dispensed with, as the order passed in this writ petition is not adversely affecting the interest of the third respondent in any manner.

2. The Petitioner claiming to be the owner of the agricultural lands in Survey No.124/12 and 125/12, Pakkiripalayam village, made a complaint to the first respondent on 05.10.2015, complaining that the 3rd respondent is illegally mining in the above said property belonging to the petitioner, in spite of repeated complaints and representations made by the petitioner to the authorities. The grievance of the petitioner is that the said complaint filed before the 1st respondent on 05.10.2015 is still pending and not disposed off.

3. This Court, at this stage, is not expressing any view on the merits of the complaint made by the petitioner, as it is for the 1st respondent to consider and decide, after hearing both parties. Therefore, the writ petition is disposed of, only with a direction to the 1st respondent to consider the representation of the petitioner dated 05.10.2015 and pass orders on merits and in accordance with law, after hearing the petitioner as well as the third respondent. Such exercise shall be done by the first respondent within a period of eight weeks from the date of receipt of copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Collector,
Villupuram District, Villupuram.

2.The Revenue Divisional Officer,
Villupuram District, Villupuram.

+1cc to Mr.Sai Bharath & Ilan, Advocate Sr.18256

W.P.No.7124 of 2017

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srg 4/4/2017