

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.24719 of 2017
and WMP.Nos.26078 & 26079 of 2017

R.Jothi Jashva Rajan .. Petitioner

vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The Executive Engineer,
Water Resources Department,
Mining and Supervisory Division,
Villupuram - 605 602.

3.The District Revenue Officer,
Villupuram District,
Villupuram.

4.The Revenue Divisional Officer,
Thirukkivilur,
Villupuram District.

5.The Tahsildar,
Thirukkivilur Taluk,
Thirukkivilur,
Villupuram District.

6.The Inspector of Police,
Thirukkivilur Police Station,
Thirukkivilur,
Villupuram District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned notice passed by the second respondent in Government Notification No.1/EVA.A/Ko.101 Sand/2017 dated 01.9.2017 published in Daily Thanthi News Paper dated 02.9.2017 and to quash the same, consequently forbearing

the respondents or their subordinates from granting license afresh for quarrying the sand at Then Pennai River between Thirukkivilur and Anaikkattu specifically at North Nemili Village, Thirukkivilur Taluk, Villupuram District.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed challenging notification No.1/EVA.A/Ko.101 Sand/2017 dated 1st September 2017 for the commencement of new sand quarry in Villupuram District at the place specified in the notification.

2. From the notification itself, it appears that environmental no objection has been issued by the office of the Tamil Nadu Pollution Control Board. The environmental clearance certificate, a copy of which has been made over to us in Court, is subject to the compliance of 67 conditions under the head of Administrative conditions, another 62 conditions under the head of Environmental conditions and 7 conditions under the head of Special conditions. Needless to mention, each of the conditions would necessarily have to be complied with for quarrying at the area in question. The environmental clearance certificate also indicates sufficient safeguards by implementation of the conditions referred to herein above.

3. There are no materials to substantiate the contention of the petitioner that there will be water deficit by reason of quarry. In any case, the petitioner has an alternative remedy before the National Green Tribunal, which has the necessary expertise to determine the issues raised in the writ petition.

4. The writ petition is therefore not entertained and the same is dismissed. No costs. Consequently, W.M.P.Nos.26078 & 26079 of 2017 are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

- 1.The District Collector,
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- 6.The Inspector of Police,
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Thirukkivilur,
Villupuram District.

+1 C.C. to MR.C.PRABAKARAN Advocate SR.NO.71003

+1 C.C. to The Government Pleader SR.NO.70585

KJI (CO)
VS 11.10.2017

W.P.No.24719 of 2017

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