

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2017

CORAM :

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM  
AND  
The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.19585 of 2017

G.Ramakrishnan

... Petitioner

-Vs-

1. The Central Bureau of Investigation,  
Rep. By its Director, Plot No.5-B,  
6<sup>th</sup> Floor, CGO Complex, Lodhi Road,  
New Delhi 110 003.

2. The Government of Tamil Nadu,  
Rep. By its Chief Secretary,  
Fort St. George, Chennai-1.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2<sup>nd</sup> respondent to probe into the illegal mining of granite, monitored by this Court throughout the State of Tamil Nadu.

For Petitioner : Mr.N.G.R.Prasad  
for Mr.Stalin Abhimanyu

For Respondents : Mr.K.Srinivasan for R-1  
: Mr.M.K.Subramanian,  
Government Pleader for R-2

O R D E R

(Order of the Court was made by Mr.T.S.Sivagnanam, J.)

Heard Mr.N.G.R.Prasad, learned counsel on behalf of Mr.Stalin Abimanyu, learned counsel on record for the petitioner.

2.The petitioner is a State Secretary of a political party and he seeks for a direction upon the second respondent to probe into the illegal mining of granite monitored by this Court throughout the State of Tamil Nadu.

3.We elaborately heard the learned counsel for the petitioner and carefully perused the materials placed on record. What we find to be the basis of the writ petition is an article published in Frontline dated 15.03.2017, penned by one Ilangovan Rajasekaran. The writ petitioner is stated to have earlier issued a press statement on 30.03.2016 regarding the issue. However, prima facie, we find that there is no independent / supporting material based on which the petitioner has brought forward this writ petition.

4.We may, at this stage, point out that already a writ petition has been filed before this Court and an Officer was appointed to enquire into the matter and a report has been submitted and the writ petition is still pending.

5.Apart from that, the petitioner himself had moved the Madurai Bench of this Court by filing W.P. (MD) No.11385 of 2017, wherein he sought virtually for the same direction as sought for in the present writ petition, for initiating CBI inquiry for taking necessary action relating to alleged grabbing of lands belonging to the Revenue, Public Works Department, Mines Department, Panchami lands, the alleged involvement of the officials of the above said Departments and the loss said to have been caused to various departments / Government. The said writ petition was taken along with other connected matters by a Hon'ble Division Bench presided over by the then Hon'ble Chief Justice (Mr.Justice Sanjay Kishan Kaul) and the Court disposed of the matters by passing an order dated 10.06.2016, which is as follows:

"In all these matters, no directions are required to be passed, as subsequent developments have taken place, whereby the First Bench at Chennai appointed a Government Officer to enquire into the matter, which report has been submitted, labelled as 'Sahayam's report'. The Court is already looking into the issue as to what course of action should follow thereafter the comments of the Government have been called for. The next date of hearing is 28.07.2016.

2.We, thus, see no purpose in keeping these petitions alive, which are closed. No costs. Consequently, connected Miscellaneous Petitions are closed."

6.Thus, the earlier writ petition filed by the petitioner was not entertained for the reasons assigned by the Hon'ble Division Bench in the order referred/extracted above. Therefore, we find no ground to entertain this writ petition at the instance of the petitioner at this stage.

7. Accordingly, the writ petition is closed. However, this will not stand in the way of the petitioner working out other remedies that may be available to him, if he chooses to do so. No costs.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

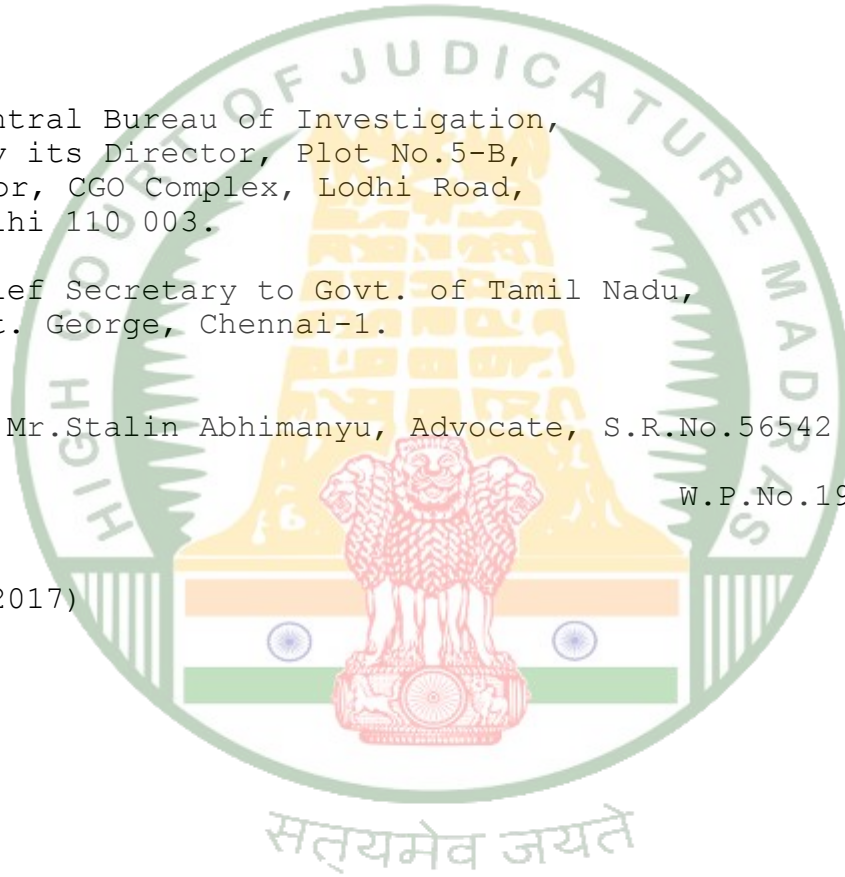
To

1. The Central Bureau of Investigation,  
Rep. By its Director, Plot No.5-B,  
6<sup>th</sup> Floor, CGO Complex, Lodhi Road,  
New Delhi 110 003.
2. The Chief Secretary to Govt. of Tamil Nadu,  
Fort St. George, Chennai-1.

+2cc's to Mr.Stalin Abhimanyu, Advocate, S.R.No.56542

W.P.No.19585 of 2017

CS IV  
CA(22/08/2017)



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