

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.2984 of 2017

V.B.R.Menon, Advocate

... Petitioner

-Vs-

1. The Principal Secretary to
Govt. of Tamil Nadu,
Industries Department,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Commissioner of Geology and Mining,
Dept. of Geology & Mining,
Thiru Vi.Ka. Industrial Estate,
Guindy, Chennai 600 032.
3. The Principal Secretary to
Govt. of Tamil Nadu,
Public Works Department,
Fort St. George, Secretariat,
Chennai 600 009.
4. The Principal Secretary to
Govt. of Tamil Nadu,
Revenue Department,
Fort St. George, Secretariat,
Chennai 600 009.
5. The Chairman,
Tamilnadu State Level Environment
Impact Assessment Authority,
3rd Floor, Panagal Maaligai,
No.1, Jeenais Road, Saidapet,
Chennai 600 015.
6. The Secretary to Govt. of India,
Ministry of Mines, 3rd Floor,
'A' Wing, Shastri Bhawan,
Dr.Rajendraprasad Road,
New Delhi 110 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to institute Aerial Surveys and Drones in monitoring, control, exploration, estimation, quantification and valuation of mining and quarrying contracts and in all other allied activities under the Tamilnadu Minor Mineral Concession Rules, 1959, as amended.

For Petitioner : Mr.V.B.R.Menon
Party-in-person

For Respondents : Mr.M.K.Subramanian
Government Pleader
for RR 1 to 5
: Mr.K.Gunasekaran
SPCCG, for R-6

O R D E R

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

Notice, which is accepted Mr.M.K.Subramanian, learned Government Pleader, for respondents 1 to 5 and Mr.K.Gunasekaran, learned Special Panel Counsel for Central Government, for respondent no.6.

2.The petitioner, through the present Public Interest Litigation, propagates the usage of Aerial Surveys and Drones for awarding of mining, quarrying and other allied activities so as to prevent the illegal mining. It is the say of the petitioner that the Union Ministry of Mines has already advised the State Government to explore the usage of drones as per a notification dated 01.11.2015. In India, the States of Uttarkhand, Bihar and Maharashtra are stated to be using the same to detect the illegal mining and deforestation activities. It is also his say that this is not an expensive technology.

3.The petitioner appearing in person pleads that award of any mining contract can be preceded by such aerial survey which can make detection of any illegal mining easy.

4.We are in agreement with the submission of the petitioner appearing in person especially in view of the large number of cases pending in the Court itself about alleged illegal mining. This would facilitate detection and transparency and consequently, save the Court time. It is also in terms of a G.O. issued by the Government of India.

5.We, thus, direct that a decision as to when the aforesaid technology can be introduced be taken and a compliance report by the State Government be filed before the Court within two (2) months from today.

6.Writ petition, accordingly, stands disposed of. No costs.

List for compliance on 21.04.2017.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Principal Secretary to
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Chennai 600 009.
2. The Commissioner of Geology and Mining,
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6. The Secretary to Govt. of India,
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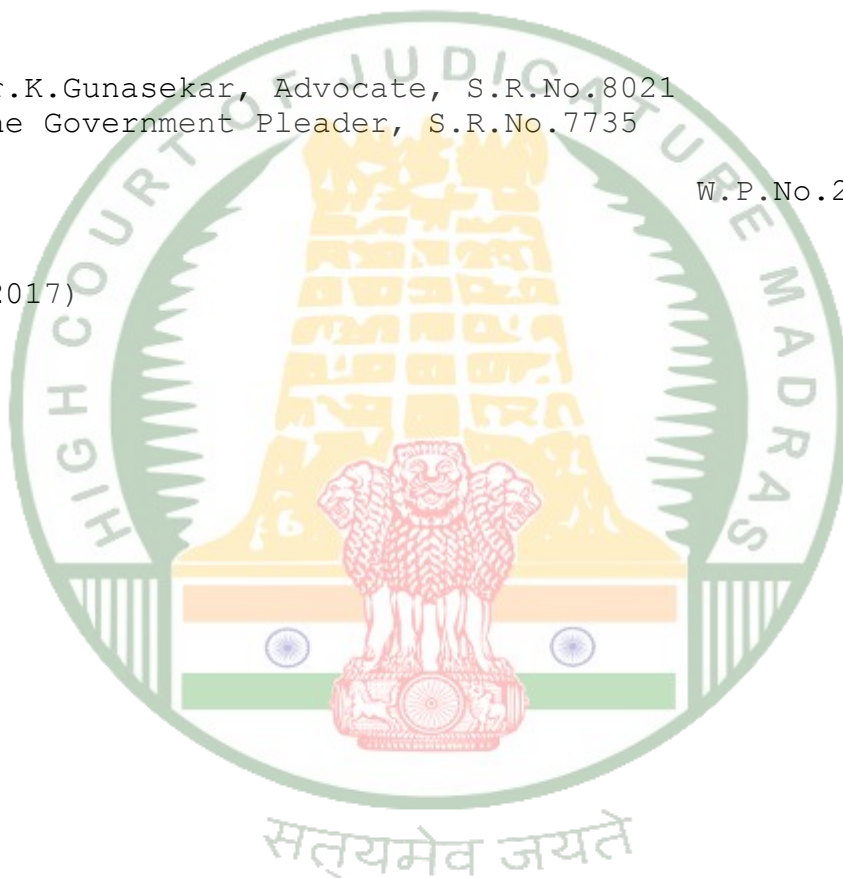
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The Section Officer,
Writ Section,
High Court, Madras.

+1cc to Mr.K.Gunasekar, Advocate, S.R.No.8021
+1cc to the Government Pleader, S.R.No.7735

W.P.No.2984 of 2017

KGK(CO)
CA(14/02/2017)



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