

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2017

CORAM

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

W.P.No.17971 of 2003

R.Ravichandran

... Petitioner

Vs.

The District Collector,
Perambalur District,
Perambalur.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified Mandamus calling for the records from the respondent pertaining to the Notification issued in Na.Ka. No.255/Pu.Ma.Su/2003 dated 23.05.2003 published in Perambalur District Gazette (Extraordinary issue) No.11 dated 24.05.2003 for leasing out the land bearing S.F.No.225/10 Block 1 (Part) over an extent of 10.00.0 hectares and S.F.No.225/10 Block 2 (Part) over an extent of 10.00.0 hectares in Thirumazhapadi Village, Ariyalur Taluk. Perambalur District through tender-cum-auction and quash the same.

For Petitioner : Mr.D.Narayanan

For Respondent : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

सतममेन जयते
O R D E R

There is no representation on behalf of the petitioner. Heard Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondent.

2.The petitioner is a resident of Thirumazhapadi Village, Ariyalur Taluk and is an Agriculturist. The District Collector, Perambalur District issued a Gazette Notification dated 25.04.2003 for leasing out the land bearing S.F.No.225/10 Block 1 (Part) over an extent of 10.00.0 hectares and S.F.No.225/10 Block 2 (Part) over an extent of 10.00.0 hectares in the Kollidam river bed, for sand quarrying, challenging which this Writ Petition has been filed on the ground that such indiscriminate quarrying will result in affecting agriculture.

3.At the time of admission, on 13.06.2003, this Court had granted stay of the Notification relating to the aforesaid lands.

4.Today, when the matter was taken up for hearing, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader brought to the notice of this Court that Rule 38-A of the Tamil Nadu Minor Mineral Concession Rules, 1959, which was introduced by G.O.Ms.No.95, Industries, dated 01.10.2003, under which all sand quarry leases that were given to private persons cease to be effective and the Government had taken over the right to exploit the sand.

5.In view of the aforesaid development, this Writ Petition has become infructuous and stands dismissed as infructuous. It is always open to the petitioner to challenge any fresh quarrying even if it is by the State Government, if it is found to be adverse to the interest of agriculture. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

va

To

The District Collector,
Perambalur District, Perambalur.

+1cc to Government Pleader sr.4923

सत्यमेव जयते

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Mg (co)
ss (9/2/2017)

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