



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twentieth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.11845 of 2017
IN
WA(MD) No.1454 of 2017

MRM RAMAIYA ENTERPRICES PRIVATE LIMITED,
REP. BY ITS MANAGING DIRECTOR,
M.R.M RAMAIYA,
NO.12, THIRUVAKKUDI IRUMPANDU POST,
AVUDAYARKOVIL TALUK,
PUDUKKOTTAI DISTRICT.

... PETITIONER/ 1st RESPONDENT

Vs

- 1 THE DISTRICT COLLECTOR,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
- 2 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINES,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 3 THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 4 THE TAHSILDAR,
THOOTHUKUDI TALUK OFFICE,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 5 THE SUPERINTENDENT OF POLICE,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
- 6 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.
- 7 THE SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT, TIRUNELVELI.
- 8 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINES,
TIRUNELVELI, TIRUNELVELI DISTRICT.
- 9 THE DISTRICT COLLECTOR,
KANYAKUMARI DISTRICT AT NAGERCOIL.



10 THE SUPERINTENDENT OF POLICE,
KANYAKUMARI DISTRICT, KANYAKUMARI.

11 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINES,
KANYAKUMARI DISTRICT. ... RESPONDENTS/ APPELLANTS

12 THE V.O.CHIDAMBARANAR PORT TRUST,
REP. BY ITS CHAIRMAN,
TUTICORIN-628 004.

13 THE UNION OF INDIA
REP. BY ITS SECRETARY, MINISTRY OF MINES,
SHASTRI BHAWAN, DR. RAJENDRA PRASAD ROAD,
NEW DELHI- 110 001.

14 THE UNION OF INDIA,
REP. BY ITS SECRETARY,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
NEW DELHI.

15 THE UNION OF INDIA
REP. BY ITS SECRETARY,
MINISTRY OF COMMERCE AND INDUSTRY,
UDYOG BHAWAN, NEW DELHI- 110 107.

16 THE UNION OF INDIA,
REP. BY ITS SECRETARY,
MINISTRY OF FINANCE, 3RD FLOOR,
JEEVAN DEEP BUILDING, SANSAD MARG,
NEW DELHI- 110 001.

... RESPONDENTS 12 TO 16/
RESPONDENTS 2 TO 6

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the Petitioner to shift the imported river sand from wharfage area to bonded area in Plot No. PBYS 1 & 2 admeasuring 12000 square meters pending writ appeal and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. M. VALLI NAYAGAM, senior counsel for M/S. J. ASHOK, Advocate for the petitioner and of Mr. B. PUGALENDHI, Additional Advocate General assisted by Mr. V. R. SHANMUGANATHAN, Special Government Pleader & Mr. T. S. Mohammed Mohideen, Additional Government Pleader for the respondents 1 to 11 and Mr. V. KATHIRVEL, Additional solicited General assisted by Mr. J. JEYAKUMARAN, counsel for the respondents 13 to 16, the court made the following order:-

(Order of this Court was made by **K. KALYANASUNDARAM, J.**)



wharfage area to bonded area in Plot.No.PBYS1&2 ad-measuring 12000 square meters pending writ appeal.

2.Heard Mr.M.Valli Nayagam, learned senior counsel for the petitioner, Mr.B.Pugalendhi, learned Additional Advocate General assisted by Mr.V.R.Shanmuganathan, learned Special Government Pleader & Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader for the respondents 1 to 11 and Mr.V.Kathirvel, learned Additional solicited General assisted by Mr.J.Jeyakumaran, learned counsel for the respondents 13 to 16 and perused the records.

3.Since this Court has already heard the writ appeal and reserved it for orders and this petition is filed arising out of a separate cause of action, the learned Senior Counsel for the petitioner seeks permission of this Court to withdraw this petition with liberty to move before a single Judge. He has also made an endorsement to that effect. Hence this Civil Miscellaneous Petition is dismissed as withdrawn with liberty to move the concerned Court.

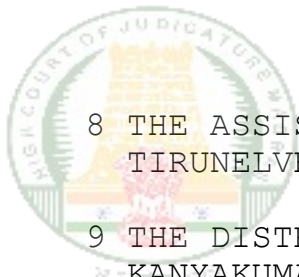
sd/-
20/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR,
THOOTHUKUDI DISTRICT, THOOTHUKUDI.
- 2 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINES,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 3 THE REVENUE DIVISIONAL OFFICER,
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THE UNION OF INDIA,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE,
NEW DELHI.

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JEEVAN DEEP BUILDING, SANSAD MARG,
NEW DELHI- 110 001.

+1. C.C. to M/S.J.ASHOK Advocate SR.No.36578

ORDER
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IN
WA (MD) No.1454 of 2017
Date : 20/12/2017

MS/VR/SAR.4/20.12.2017/4P.18C