



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2017

WEB COPY

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P (MD) No.10159 of 2014

G.Shanmugaiah

.. Petitioner

Vs.

- 1.The District collector,
Tirunelveli District,
Tirunelveli.
- 2.The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.
- 3.The Tahsildar,
Tenkasi Taluk,
Tenkasi,
Tirunelveli District.
- 4.The Executive Engineer, PWD,WRO,
Chittar Basin Division,
Tenkasi,
Tirunelveli District.
- 5.The Assistant Director,
Geology and Mining Department,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to consider the Petitioner's application dated 16.08.2013 submitted in the prescribed format seeking license for the storage of sand in S.No.728/41-part (now classified as S.No.728/41-B), Sambavarvadakarai Village, Tenkasi Taluk, Tirunelveli District and transportation of sand and pass orders thereon within the time frame fixed by this Court.

For Petitioner

: Mr.R.Subramanian

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents

: Mr.R.Anandaraaj

Government Advocate

**ORDER**

This writ petition has been filed praying for issuance of a Writ of Mandamus directing the respondents herein to consider the application submitted by the petitioner dated 16.08.2013 seeking license for the storage of sand in S.No.728/41-part (now classified as S.No.728/41-B), Sambavarvadakarai Village, Tenkasi Taluk, Tirunelveli District and transportation of sand, and pass orders thereon within a time frame.

2. When the writ petition was taken up for hearing, the learned Government Advocate appearing for the respondents submitted that the application dated 16.08.2013 submitted by the petitioner for grant of licence to store river sand in S.F.No.728/41 at Sambavarvadakarai Village, Tenkasi Taluk, Tirunelveli District, has already been considered and rejected by the first respondent, vide proceedings in Rc.No.M2/36128/2013, dated 08.08.2014 and therefore, this writ petition has become infructuous.

3. At this juncture, the learned counsel for the petitioner submitted that the petitioner has not been served with any such order and hence, the respondents may be directed to serve a copy of the said proceedings to the petitioner.

4. In view of the above, the first respondent is directed to serve a copy of the proceedings Rc.No.M2/36128/2013, dated 08.08.2014, to the petitioner, if not already served.

5. With the above observation, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District collector,
Tirunelveli District,
Tirunelveli.

2. The Revenue Divisional Officer,
Tenkasi,
Tirunelveli District.



3.The Tahsildar,
Tenkasi Taluk,
Tenkasi,
Tirunelveli District.

4.The Executive Engineer, PWD,WRO,
Chittar Basin Division,
Tenkasi,
Tirunelveli District.

5.The Assistant Director,
Geology and Mining Department,
Tirunelveli.

+ 1 CC TO Mr.R.SUBRAMANIAN, ADVOCATE IN SR No. 14617
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 14708

GCG

TE/KP : 17/04/2017 : 3P/8C

W.P(MD)No.10159 of 2014
14.03.2017