



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)Nos.8278 and 16394 of 2014
and
M.P(MD)Nos.1, 1, 2 and 2 of 2014

V.Periasamy,
President,
Poolangulam Kanmai Ayakkattutharargal Nala Changan
(Presently called as Poolangulam Kanmai Vayalagam),
S.Pappinaickanpatty, T.Ramanathapuram Post,
Sedapatty Panchayat Union,
Periyur Taluk, Madurai District.

.. Petitioner in
both W.Ps.

Vs.

1. The District Collector,
Madurai District.
2. The Superintendent of Police,
Madurai District.
3. The Commissioner,
Sedapatty Panchayat Union,
Madurai District.
4. The Revenue Divisional Officer,
Usilampatti, Madurai District.
5. The Tahsildar,
Periyur Taluk, Madurai District.

6. V.Ravichandran

.. Respondents 1 to 6
in both W.Ps.

7. The Deputy Superintendent of Police,
Usilampatti Taluk, Madurai District.

8. The Inspector of Police,
Elumalai Police Station,
Madurai District.

.. Respondents 7 and 8
in W.P (MD) No.16394/2014



PRAYER IN W.P(MD)No.8278 of 2014: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling call for the entire records of the impugned order in Na.Ka.No.612/2013/Minerals dated 26.2.2014 passed by the first respondent, quash the same as illegal and consequently directing the first respondent not to issue any order of soil quarry in the Poolangulam Kanmai situated in Survey No.90/1 and 90/2 with an extent of 29.58.5 Hectares of Pappinaickanpatti Village, Peraiyur Taluk, Madurai District affecting the right of the agriculturists and the beneficiary of the Poolangulam Kanmai.

PRAYER IN W.P(MD)No.16394 of 2014: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the sixth respondent from doing any soil quarry work in the Poolangulam Kanmai situated in Survey No.90/1 and 90/2 with an extent of 29.58.5 Hectares of Pappinaickanpatti Village, Peraiyur Taluk, Madurai District with the help of the respondents 2, 7 and 8 till final disposal of the W.P (MD)No. 8278 of 2014.

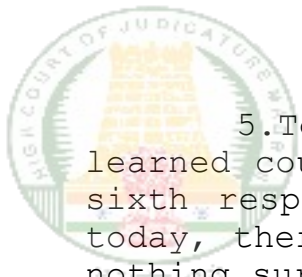
For Petitioner	: Mr.V.Nagendran
For Respondents	: Mr.J.Gunaseelan Muthaiah,
1 to 5, 7 and 8	Government Advocate.
For Respondent No.6	: Mr.R.Shankar Ganesh

COMMON ORDER

W.P(MD)No.8278 of 2014 has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order passed by the first respondent in Na.Ka.No.612/2013/Minerals, dated 26.02.2014 and to direct the first respondent not to issue any order of soil quarry in the Poolangulam Kanmai situated in Survey No.90/1 and 90/2, to an extent of 29.58.5 Hectares of Pappinaickanpatti Village, Peraiyur Taluk, Madurai District affecting the right of the agriculturists and the beneficiary of the Poolangulam Kanmai.

2.W.P(MD)No.16394 of 2014 has been filed seeking a writ of mandamus to forbear the sixth respondent from doing any soil quarry work in the Poolangulam Kanmai situated in Survey Nos.90/1 and 90/2, to an extent of 29.58.5 Hectares of Pappinaickanpatti Village, Peraiyur Taluk, Madurai District with the help of the respondents 2, 7 and 8 till final disposal of the W.P(MD)No.8278 of 2014.

3.Since the issue involved in both these writ petitions, is one and the same, they are taken up for hearing together and disposed of by this common order.



5. Today, when the matters are taken up for hearing, the learned counsel appearing for the sixth respondent submits that the sixth respondent has completed the quarrying operations and as on today, there is no quarrying work in the tank in question and hence nothing survives for further adjudication in these matters.

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6. Considering the submission made on the side of the sixth respondent and also considering the fact that the post of the petitioner as President is already over, nothing survives for further adjudication in these writ petitions and accordingly the writ petitions are dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District.
2. The Superintendent of Police,
Madurai District.
3. The Commissioner,
Sedapatty Panchayat Union,
Madurai District.
4. The Revenue Divisional Officer,
Usilampatti, Madurai District.
5. The Tahsildar,
Periyur Taluk, Madurai District.
6. The Deputy Superintendent of Police,
Usilampatti Taluk, Madurai District.
7. The Inspector of Police,
Elumalai Police Station,
Madurai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 68355

SMN

TE/JC/SAR-II : 17/08/2017 : 3P/9C

COMMON ORDER MADE IN

W.P(MD) Nos.8278 and 16394 of 2014 and

M.P(MD) Nos.1, 1, 2 and 2 of 2014

26.07.2017