



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.15154 of 2017
and
W.M.P. (MD) Nos.12536, 12537 and 11972 of 2017

M.Murugan

.. Petitioner

Vs .

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.
2. The Sub-Collector,
Paramakudi,
Ramanathapuram District.
3. The Assistant Director,
Geology and Mining,
Ramanathapuram District.
4. The Executive Engineer,
PWD/Water Resource Organisation,
Gundaru Basin Circle,
Madurai.
5. The Assistant Geologist,
(Mines), Ramanathapuram District.
6. K.Ramar

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, to direct the first respondent to forbear the sixth respondent and other licensees from quarrying River Sand on the guise of quarrying of Savudu in Kadaladi Taluk in Ramanathapuram District and consequently direct the first respondent to take appropriate action against the erring officials and licensees for having violated Tamil Nadu Minor Mineral Concession Rules 1959.



WEB COPY

For petitioner : Mr.R.Gandhi
For Respondents 1 to 5 : Mr.M.Govindan
Special Government Pleader
For 6th Respondent : Mr.S.Rajasekar
for Mr.T.Lajapathi Roy

Mr.R.Murugappan
Advocate Commissioner

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

This writ petition has been filed for directing the first respondent to forbear the sixth respondent from quarrying River Sand in A.Usilankulam Village, Kadaladi Taluk in Ramanathapuram District.

2. Specific allegations have been made against the sixth respondent. Survey No.179/2 has also been mentioned. This Court appointed Mr.R.Murugappan, as Advocate Commissioner. The said advocate commissioner has since filed his report dated 05.09.2017 stating that though in Survey No.179/2, there is no quarrying activity, in the surrounding areas big, deep and wide pits are seen evidencing quarrying activities.

3. The learned special Government Pleader appearing for the official respondents would submit that no license has been issued in favour of any private party authorising them to remove sand. This submission is placed on record.

4. Since we are *prima facie* satisfied that illegal quarrying has taken place, we direct the first respondent to take note of the report submitted by the advocate commissioner and ensure that no illegal quarrying take place in A.Usilankulam Village, Kadaladi Taluk in Ramanathapuram District.

5. With this direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar



To:

1. The District Collector,
Ramanathapuram,
Ramanathapuram District.
2. The Sub-Collector,
Paramakudi,
Ramanathapuram District.
3. The Assistant Director,
Geology and Mining,
Ramanathapuram District.
4. The Executive Engineer,
PWD/Water Resource Organisation,
Gundaru Basin Circle,
Madurai.
5. The Assistant Geologist,
(Mines), Ramanathapuram District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 77681
+ 1 CC TO M/s.R.GANDHI, ADVOCATE IN SR No. 77105
+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 77064

VSG/RMK

TE/JC/SAR-I : 22/09/2017 : 3P/9C

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06.09.2017