



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 16.02.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)Nos.2677 and 2678 of 2017

K.Anandakrishnan

..Petitioner in both W.Ps'

Vs

1.The District Collector,
Office of the District Collectorate Complex,
Virudhunagar District.

2.The Assistant Director,
Department of Geology and Mines,
Office of the District Collectorate Complex,
Virudhunagar District.

3.The Assistant Director,
Pollution Control Board,
Virudhunagar District.

..Respondents in both W.Ps'

PRAYER IN W.P(MD)No.2677 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from granting license to any one person for stone quarrying operation in Chinnamalai and Thiruppani Hills in S.No.846 and 865 situated at Iyyankollankondan Village, Rajapalayam Taluk, Virudhunagar District based on his representation, dated 1.2.2017.

PRAYER IN W.P(MD)No.2678 of 2017: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents from granting license to any one person for stone quarrying operation in Chettiarpatti Hill situated at Elanthiraikondan Village, Virudhunagar District based on his representation, dated 1.2.2017.

For Petitioner
in both W.Ps.

:M/s.M.Subash Babu

For Respondents
in both W.Ps'

:Mr.C.Selvaraj
SP1.Govt.Pleader

**COMMON ORDER**

In W.P(MD)No.2677 of 2017, the Petitioner seeks for a direction forbearing the respondents from granting license to any one person for stone quarrying operation in Chinnamalai and Thiruppani Hills in S.No.846 and 865 situated at Iyyankollankondan Village, Rajapalayam Taluk, Virudhunagar District based on his representation, dated 1.2.2017.

2.In W.P(MD)No.2678 of 2017, the Petitioner seeks for a direction forbearing the respondents from granting license to any one person for stone quarrying operation in Chettiarpatti Hill situated at Elanthiraikondan Village, Virudhunagar District based on his representation, dated 1.2.2017.

3.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

4.By consent of both parties, the main Writ Petitions are taken up for disposal, at the admission stage itself.

5.The Petitioner in both the Writ Petitions are one and the same. The grievance of the Petitioner in both these Writ Petitions is that there is an attempt on the part of the respondents in granting license to some third parties to carry on stone quarrying operation on the above said place in violation of the relevant rules and regulations, more particularly, in violating the Distance Rules. In other words, it is the contention of the Petitioner that human habitation is situated within 160 meters from the above said proposed place of quarrying, which according to the Petitioner violates Distance Rules. This Court, at this Stage is not expressing any view on the claim made by the Petitioner, since it is for the respondents to consider and decide the same on merits and in accordance with law.

6.Considering the limited scope of the prayer sought for and without expressing any view on the merits of the claim made by the Petitioner, I only direct the first respondent to consider the representations of the Petitioner, dated 1.2.2017 and pass orders on the same, on merits and in accordance with law, also by hearing other rival parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7.With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Writ)

/True Copy/

Sub Assistant Registrar



1.The District Collector,
Office of the District Collectorate Complex,
Virudhunagar District.

2.The Assistant Director,
Department of Geology and Mines,
Office of the District Collectorate Complex,
Virudhunagar District.

3.The Assistant Director,
Pollution Control Board,
Virudhunagar District.

+2cc to Mr.M.Subash Babu, Advocate Sr.No. 8829,8828

+1cc to Spl.Government Pleader Sr.No. 8944

JAM/28.02.17 /MR/ 3p-7c

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