



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.06.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.3375 of 2017

Thangamankani

.. Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Viruthunagar District.
- 2.The Revenue Divisional Officer,
Srivilliputhur Taluk,
Viruthunagar District.
- 3.The Tahsildhar,
Srivilliputhur Taluk,
Viruthunagar District.
- 4.The District Forest Officer,
Viruthunagar District, Viruthunagar.
- 5.The Wildlife Warden,
Saampal Nira Anil Forest Range,
Srivilliputhur Division,
No.8, Kallikulam, Srivilliputhur,
Viruthunagar District.
- 6.The Inspector of Police,
Srivilliputhur Police Station,
Srivilliputhur, Viruthunagar District.

7.Ayyanar

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take appropriate actions against the anti-social elements those who are involving in sand theft in Senbagathoppu and Peyanaru river at Virudhunagar District and to prevent the sand theft in that area by considering the petitioner's representation dated 30.01.2017.

<https://hcservices.ecourts.gov.in/hcservices/>
(Prayer amended vide order dated 25.04.2017
in W.M.P(MD)No.6023 of 2017)



For Petitioner : Mr.A.Mohamed Yusuf
For RR 1 to 6 : Mr.M.Govindan,
Special Government Pleader.
For R - 7 : Mr.K.Mahendran

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ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 6 to prevent sand theft which is being made in Senbagathoppu and Peyanaru river, Virudhunagar District on the basis of the representation dated 30.01.2017 alleged to have been given by the petitioner by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that the seventh respondent has been doing sand theft continuously from the places mentioned in the petition and due to that a representation has been given on 30.01.2017 to the respondents 1 to 6, but no action has been taken. Under the said circumstances, this writ petition has been filed for getting the relief sought therein.

3.The learned counsel appearing for the seventh respondent has contended to the effect that the seventh respondent has not involved in the alleged sand theft and therefore, the seventh respondent is nothing but an unnecessary party.

4.The learned Special Government Pleader appearing for the respondents 1 to 6 has represented that several communications have been sent to the respondents 1 to 3, but there is no response.

5.Considering the fact that on 30.01.2017, a representation has been given by the petitioner wherein the alleged theft of sand has been clearly mentioned and also considering that no action has been taken by the respondents 1 to 6 on the basis of the representation dated 30.01.2017, this Court is inclined to pass the following order.

6.In fine, this Writ Petition is allowed without costs. The respondents 1 to 3 are strictly directed to consider the representation dated 30.01.2017 alleged to have been given by the petitioner and take appropriate action on the basis of the same.

Sd/-

Assistant Registrar(CS-I)



To

1.The District Collector,
Collectorate,
Viruthunagar District.

2.The Revenue Divisional Officer,
Srivilliputhur Taluk,
Viruthunagar District.

3.The Tahsildhar,
Srivilliputhur Taluk,
Viruthunagar District.

4.The District Forest Officer,
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5.The Wildlife Warden,
Saampal Nira Anil Forest Range,
Srivilliputhur Division,
No.8, Kallikulam, Srivilliputhur,
Viruthunagar District.

6.The Inspector of Police,
Srivilliputhur Police Station,
Srivilliputhur, Viruthunagar District.

+1cc to Mr.A.Mohamed Yusuf, Advocate in SR.No.58436
+1cc to Special Government Pleader in SR.No.58134

ps/cp

AE/KP/SAR4/08.06.2017/3P/9C

ORDER MADE IN
W.P (MD) No.3375 of 2017
01.06.2017