



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :13.04.2017
CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P (MD) No.6723 of 2017

WEB COPY

A.Nigilesan

..Petitioner

Vs

1. The Special Officer,
Chief Minister's Special Cell,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
- 2.The Chief Secretary,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
3. The Union of India,
Rep. by the Secretary,
Environmental and Forest Department,
New Delhi.
- 4.The Secretary,
Revenue Department,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009
- 5.The Secretary,
Environmental and Forest Department,
Govt of Tamil Nadu,
Secretariat, Chennai - 600 009
- 6.The Secretary,
Industrial Development,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
- 7.The Commissioner of
Geology and Mining Department,
Industrial Estate Campus,
Guindy, Chennai.



Panagal Maligai,
Saidapet, Chennai.

9. District Forest Officer,
Department of Forest,
Thoothukudi District.

10. The District Collector,
Thoothukudi District.

11. The Assistant Director,
Geology and Mining Department,
Thoothukudi District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the 8th respondent to pass appropriate orders for granting permission by way of issue the license for starting a quarry at the petitioner's land comprised in Survey No.1130/2 and 1131/1 to an extent of 2.68.50 hectares which is situated at Padmanabhamangalam Village, Srivaikundam Taluk of Thoothukudi District., based on the petitioner's representation dated 04.04.2017.

For Petitioner : Mr.A.Nikilesan
Party-in-person

For R1, R2 & RR 4 to 11 : Mr.G.Anandraj
Government Advocate

For R3 : Mr.R.Murugappan

O R D E R

The Petitioner has approached this Court seeking a direction to the 8th respondent to pass appropriate orders for granting permission by way of issue the license for starting a quarry at the petitioner's land comprised in Survey No.1130/2 and 1131/1 to an extent of 2.68.50 hectares which is situated at Padmanabhamangalam Village, Srivaikundam Taluk of Thoothukudi District., based on the petitioner's representation dated 04.04.2017.

2. The learned counsel for the third respondent would submit that the grievance of the petitioner appears that he has to approach several authorities for getting clearances for granting of licence and for starting of quarry operations.

3. Perusal of the records shows that without exhausting the remedies available to the petitioner in respect of the authorities concerned, the petitioner has straight away approached this Court invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. Such mandamus sought for in this writ petition can not be issued at all and the prayer in the writ

petition as it framed is completely misconceived and not maintainable. In such circumstances, this writ petition is not maintainable and therefore the same is dismissed. However, it is open to the petitioner to approach the proper authorities for the relief as prayed for in the writ petition if he so advised in a manner known to law. No Costs.

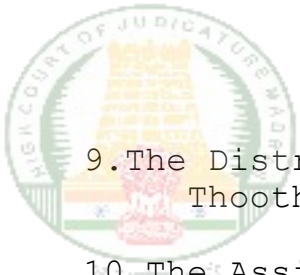
Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Special Officer,
Chief Minister's Special Cell,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Chief Secretary,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
3. The Secretary,
Revenue Department,
Govt of Tamil Nadu,
Secretariat, Chennai - 600 009
4. The Secretary,
Environmental and Forest Department,
Govt of Tamil Nadu,
Secretariat, Chennai - 600 009
5. The Secretary,
Industrial Development,
Govt of Tamil Nadu,
Secretariat,
Chennai - 600 009.
6. The Commissioner of
Geology and Mining Department,
Industrial Estate Campus,
Guindy, Chennai.
7. The Commissioner,
Forest Department (Wild Life)
Panagal Maligai,
Saidapet, Chennai.
8. District Forest Officer,
Department of Forest,
Thoothukudi District.



9.The District Collector,
Thoothukudi District.

10.The Assistant Director,
Geology and Mining Department,
Thoothukudi District.

+1cc to Mr.A.Nikilesan, Party-in-person, SR.No.51910

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO.52092

+1CC to Mr.R.Murugappan, Advocate, SR.No. 52196

W.P (MD) No.6723 of 2017
13.04.2017

PJL

kk/MMS/10.05.2017-4P-14C