



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.08.2017
CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

WEB COPY

**W.P (MD) No.18241 of 2016 and
W.M.P.No.13145 of 2016**

R.Seenivasan

... Petitioner

-vs-

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Commissioner,
Department of Geology and Mines & Minerals,
Industrial Estate, Guindy,
Chennai-600 032.
3. The Joint Director,
Department of Mines and Minerals,
Collectorate Building,
Virudhunagar District,
Virudhunagar.
4. The Assistant Director,
Department of Mines and Minerals,
Collectorate Building,
Virudhunagar District,
Virudhunagar.
5. The Tahsildar,
(Mines & Minerals-Special),
Collectorate Building,
Virudhunagar District,
Virudhunagar.
6. T.Venkatasubramanian
7. K.Jeyachandran

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 5 to prevent the illegal quarrying operations conducted by the respondents 6 and 7 in the petitioner's land in S.Nos. 55/3, 57/2 and 59 situated at Melakallankulam, Kariyapatti Taluk, Virudhunagar District by considering the petitioner's representation dated 01.09.2016.

For Petitioner

... Mr.C.Jeyaprakash

For R1 to R5

... Mr.S.Kumar

Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the respondents 1 to 5 to prevent the illegal quarrying operations conducted by the respondents 6 and 7 in the petitioner's land in S.Nos. 55/3, 57/2 and 59 situated at Melakallankulam, Kariyapatti Taluk, Virudhunagar District by considering the petitioner's representation dated 01.09.2016.

2. Heard the learned counsel for the parties.

3. The case of the petitioner is that he is the absolute owner of the properties in question, on account of which, he leased out the same in favour of the 6th respondent by virtue of an unregistered lease deed dated 27.12.2012 for the purpose of quarrying red sand. Though the lease period was over on 14.07.2016, the 6th respondent has been continuing his quarry operations unlawfully without any valid license. It is the further case of the petitioner that though he has given a representation to the respondents 1 to 5 for stoppage of illegal quarry operations, no steps whatsoever have been taken by the respondents, which forced the petitioner to file the present writ petition.

4. It is seen that the petitioner has submitted a representation dated 01.09.2016 to the respondents 1 to 5, by pointing out certain illegal quarrying operations in the property belonging to him and the said representation is said to be pending without any consideration. Under such circumstances, this Court, without going into the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 01.09.2016 and pass necessary orders thereon on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to both the petitioner and the respondents 6 & 7 as well.

With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar



To: **சென்னை**

WEB COPY

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Commissioner,
Department of Geology and Mines & Minerals,
Industrial Estate, Guindy,
Chennai-600 032.
3. The Joint Director,
Department of Mines and Minerals,
Collectorate Building,
Virudhunagar District,
Virudhunagar.
4. The Assistant Director,
Department of Mines and Minerals,
Collectorate Building,
Virudhunagar District,
Virudhunagar.
5. The Tahsildar,
(Mines & Minerals-Special),
Collectorate Building,
Virudhunagar District,
Virudhunagar.

+One cc to M/s.C.Jayaprakash, Advocate, SR.No.69482

+One cc to The Special Government Pleader, SR.No.70210

ar

RL/8C/3P/KP/SAR1/16/8/2017