



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.02.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBBIAH**
AND
THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

CONT.P. [MD] .No.768 of 2016

P.Navaneethakrishnan : Petitioner/Petitioner

Vs.

Mr.S.Natarajan, I.A.S.,
The District Collector,
Ramanathapuram District,
Ramanathapuram.

: Contemnor/Respondent

PRAYER: Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to initiate contempt proceedings against the contemnor/respondent No.1 and punish him for the wilful disobedience of the order of this Court dated 30.10.2015 made in W.P. (MD) .No.19740 of 2015.

Prayer in WP(MD). 19740/ 2015 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order in Na.Ka.1442/G & M.2/2013 dated 24.08.2015 on the file of the Respondent no. 1 and quash the same as illegal and Consequently directing the Respondent no. 1 and 2 to restrain Respondent No. 8 from taking sand in the river bed instead of Savadu Soil (Coarse Soil) and quarrying beyond the licensed area allowed as per the mining lease issued by the respondent no. 1 in Survey Nos. 352/2B and 352/3 to the extend to 1.16.0 Hectare, at Maranthai Village, Kadaladi Taluk, Ramanathapuram District.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.S.Chandrasekar
Government Advocate

O R D E R

[Order of the Court was made by **R.SUBBIAH, J.**]

<https://hcservices.ecourts.gov.in/hcservices/>

The present Contempt Petition has been filed alleging that the



order of this Court dated 30.10.2015 made in W.P.(MD).No.19740 of 2015, has not been complied with.

2. Today, when the Contempt Petition was taken up for consideration, the respondent has filed a reply affidavit, in which in Paragraph Nos.6 and 7, it has been stated as follows:-

"I respectfully submit that further, the subject area has also been inspected by the Sub-Collector, Paramakudi on 19.04.2016 and he has reported vide his letter RC.No.B2/3254/2016 dated 20.04.2016 that 'Savadu' has been removed from the permitted area in S.F.nos.352/2A, 352/2B and 352/3 of Maranthai Village few Months before and one pit for the dimension of 10 metre x 10 metre to a depth of 1.5 metre is noticed and other portions are being covered up with Karuvel trees. The lease area in S.F.Nos.352/2A, 352/2B and 352/3 of Maranthai Village is located adjacent to Orivayal Village boundary and the public of Orivayal Village is objecting the quarrying operation in the subject area. However, there is no violation of conditions of the lease noticed in the subject quarry.

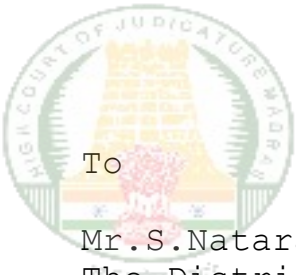
7. I respectfully submit that based on the notice of contempt of court dated 19.03.2016 received from T.Lajapathi Roy Counsel for the petitioner, the action taken details has been communicated to the counsel for the petitioner vide District Collector Lr.Roc.No.1442/G & M.2/2013 dated 28.04.2016. Subsequently to the filing of the contempt petition, the subject quarry has been inspected by the Spl.Deputy Tahsildar (Mines), Ramanathapuram on 30.07.2016 and she has reported that the quarried pit for a depth of 1.5 mts., is noticed in S.F.No.352/3 and another pit in S.F.No.352/28 has been leveled and there is no violation of conditions of the lease. She has further reported that there is no quarrying operation at present. "

3. In view of the above, we are of the considered view, nothing survives for adjudication in the Contempt Petition. Hence, recording the said statement made in the counter affidavit filed by the third respondent, the Contempt Petition is closed.

Sd/-

Assistant Registrar(AE)

/True copy/



To

Mr.S.Natarajan, I.A.S.,
The District Collector,
Ramanathapuram District,
Ramanathapuram

+1 cc to M/s.T.Lajapathi Roy, Advocate in SR.No. 9172
+1 cc to The Special Government Pleader in SR.No. 9214

NB

CSL/SV-MMS/SAR-I/02.03.2017 :3P/4C

**ORDER MADE IN
CONT.P. [MD] .No.768 of 2016
17.02.2017**