

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2018

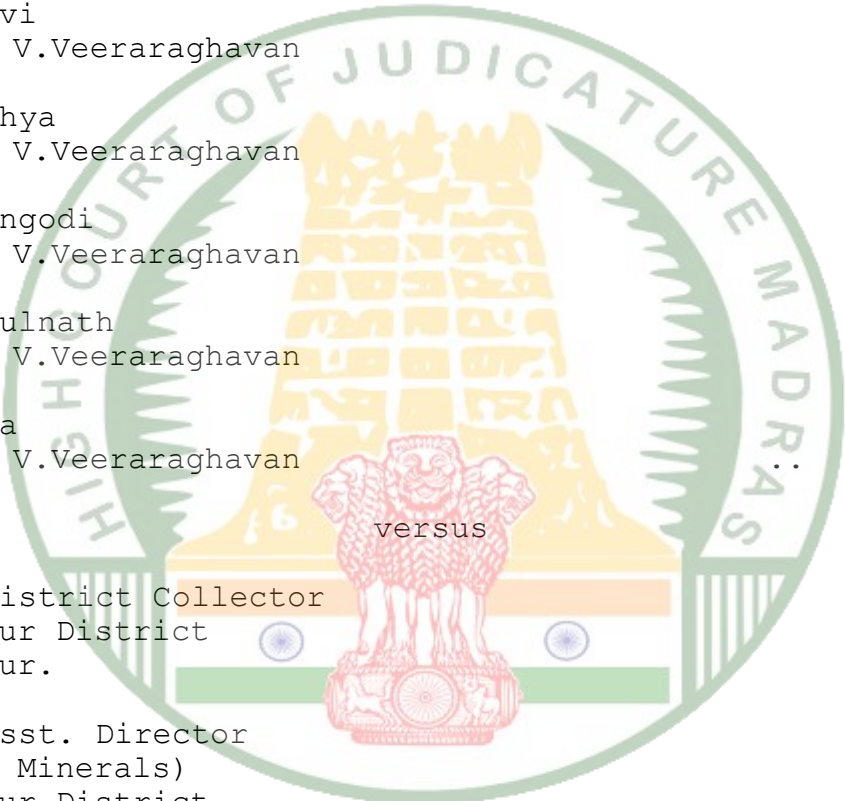
CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3085 of 2018

and

WMP.No.3773 of 2018

- 
1. V.Selvi
W/o.Late V.Veeraraghavan
2. P.Nithya
D/o.Late V.Veeraraghavan
3. V.Poongodi
D/o.Late V.Veeraraghavan
4. V.Gokulnath
S/o.Late V.Veeraraghavan
5. V.Sona
D/o.Late V.Veeraraghavan
- ... Petitioners
- versus
1. The District Collector
Tiruvallur District
Tiruvallur.
2. The Asst. Director
(Mines & Minerals)
Tiruvallur District,
Tiruvallur.
- .. Respondents
- सत्यमेव जयते

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the proceeding made in Rc.No.671/2009/G&M-2 dated 09.03.2017 passed by the first respondent and quash the same and consequently, direct the respondents to permit the petitioner to excavate 4719 lorry loads of sound sand in the P.W.D. Eri situated in S.No.171, Kumaracherry Village, Tiruvallur District within a time frame.

For Petitioners : Mr.Pitty Parthasarathy
For Respondents : Mr.B.Anandan
Government Advocate

O R D E R

Mr.B.Anandan, learned Government Advocate takes notice for the respondents.

2. The petitioners are aggrieved against the proceedings of the first respondent dated 09.03.2017 in rejecting their representation dated 22.06.2016, wherein and whereby, they sought for permission to excavate 4719 lorry loads of sound sand in the subject matter P.W.D. Eri.

3. Heard both sides.

4. It is not in dispute that the petitioners are the legal heirs of one V.Veeraraghavan and the said person, during his lifetime, has already challenged the order rejecting the very same request, in WP.No.16896 of 2016 and the said writ petition is still pending. During the pendency of the above said writ petition, the petitioners, as the legal heirs, have made a representation once again with the very same relief, which is, now, rejected by the first respondent, by citing the pendency of the earlier writ petition filed by the said Veeraraghavan.

5. I do not think that the petitioners can make independent representation as the one made before the first respondent, without pursuing their remedy in the earlier writ petition filed by the said Veeraraghavan. It is stated that the petitioners have also filed an application to get themselves impleaded as parties / respondents in the said writ petition. That being the case, I do not find that the present writ petition challenging the order of the first respondent can be entertained, except to state that all the contentions raised by the petitioners in this writ petition can be raised in the other writ petition, which is pending in WP.No.16896 of 2016. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

mk

To

1. The District Collector
Tiruvallur District
Tiruvallur.

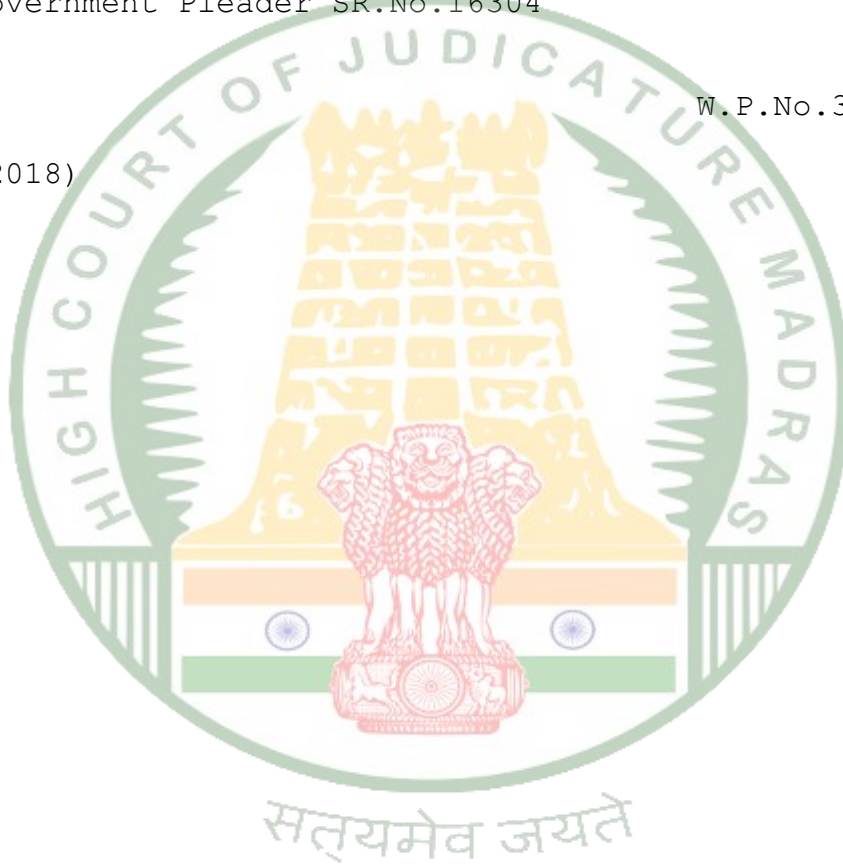
2. The Asst. Director
(Mines & Minerals)
Tiruvallur District,
Tiruvallur.

+lcc to Mr.Pitty Parthasarathy, Advocate SR.No.10878

+lcc to Government Pleader SR.No.16304

W.P.No.3085 of 2018

SVI (CO)
GN(28/02/2018)



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