

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4339 of 2018

and

WMP.No.5341 of 2018

S.Jayaram

Son of Seenappa

.. Petitioner

versus

1. The Commissioner
Department of Geology and Mining
Alandhur Road, Guindy
Chennai-600 032.

2.The District Collector
Krishnagiri District
Krishnagiri.

3.B.Arun Kumar

4.Blue Stone Enterprises
No.551, Panchakshipuram
Hosur Taluk
Krishnagiri District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the second respondent to order closure of the stone quarries in Survey Nos.603/1 and 559/2, Masinayaganapalli Village, Panchatshipuram Post, Hosur Taluk, Krishnagiri District, by considering the petitioner's representation dated 07.12.2017.

For Petitioner: Mr.R.Jayaprakash

For Respondents: Mr.R.Govindasamy

Special Government Pleader
for R1 & R2

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents 1 & 2. Since this writ petition is being disposed of, without affecting the interest of the third and fourth respondents, notice to those respondents is dispensed with.

2. The petitioner seeks for a mandamus directing the second respondent to order the closure of the stone quarries in Survey Nos.603/1 and 559/2, Masinayaganapalli Village, Panchatshipuram Post, Hosur Taluk, Krishnagiri District, run by the respondents 3 and 4, on the reason that such quarrying operation is causing health hazards and also on the reason that the same is being carried out within the prohibited distance.

3. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same, based on the representation already made by the petitioner on 07.12.2017. Thus, this writ petition is disposed of, only with a direction to the second respondent to consider the said representation of the petitioner and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the respondents 3 and 4. Needless to say that the respondents 3 and 4 are at liberty to place all their contentions before the second respondent at the time of enquiry. Such exercise shall be done by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mk

To

1.The Commissioner
Department of Geology and Mining
Alandhur Road, Guindy
Chennai-600 032.

2.The District Collector
Krishnagiri District
Krishnagiri.

+ 1 cc to Mr.R.Jayaprakash Advocate,SR.15533
+ 1 cc to The Govt.Pleader, SR.15376

nr 12/03/2018

W.P.No.4339 of 2018