

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.7785 of 2009 and 17123 of 2005
and W.P.M.P.No.18590 of 2005 and W.V.M.P.No.5 of 2013

Meena Granite Industries
rep.by its Proprietor
A.M.Krishnamurthy
rep.by Power of Attorney
Sokab Products (P) Ltd.,
rep.by its Executive Director
D.Karthikeyan, S/o.M.Dharmarajan
19, 11th Cross Street, Indira Nagar,
Adyar, Chennai-600 020. Petitioner in both W.Ps.

Vs.

1.The State of Tamil Nadu
rep.by its Secretary to Government,
Industries Department,
Fort St.George, Chennai-600 009.
.... 1st respondent in both W.Ps.

2.The District Collector,
Villupuram District @ Villupuram.
.... 2nd respondent in both W.Ps.

The Assistant / Deputy Director,
Geology and Mining Department,
Villupuram.

... 3rd respondent in W.P.No.7785 of 2009

Meena Granites Industries rep.by its Proprietor
K.Ramesh, S/o.Late A.M.Krishnamurthy,
New No.1B, Old No.46,
6th Cross Street, Rajalakshmi Nagar,
Velachery, Chennai-600 042..

(R4 impleaded as per order dated 07.07.2009
in M.P.No.2 of 2009 in
W.P.No.7785 of 2009)

... 4th respondent in W.P.No.7785 of 2009

W.P.No.7785 of 2009 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second and third respondents herein to issue transport permit to the petitioner to enable him to carry on quarrying operations and transport the mineral quarried in the petitioner's lease hold area situated in S.No.31/7 over an extent of 1 Acres 25 Cents in Sirnavur Village, Vanur Taluk, Villupuram District as per the order of the Hon'ble Division Bench of this Court in W.P.Nos.2905 etc.batch of 2005 dated 06.09.2007.

W.P.No.17123 of 2005 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents, their men, agents and subordinates from in any way interfering with the petitioner's right to quarry and transport granite from petitioner's patta lands in S.No.31/7, admeasuring 1 acre 25 cents in Sirunavur Village, Vanur Taluk, Villupuram District.

For Petitioner : Mr.K.R.Krishnan
in both W.Ps.

For Respondents : Mr.J.Ramesh,
in both W.Ps. Additional Govt.Pleader for R1 to R3
in W.P.No.7785 of 2009 and
for respondents in W.P.No.17123 of
2005

No appearance for R4 in
W.P.No.7785 of 2009

COMMON ORDER

When these writ petitions were taken up, the learned counsel for the petitioner has submitted that he is not appearing in these writ petitions, since the case bundles have already been taken back by the petitioner.

2.The learned Additional Govt.Pleader appearing for the respondents 1 to 3 in W.P.No.7785 of 2009 and for the respondents in W.P.No.17123 of 2005 has submitted that quarrying operations have been curtailed by the authorities. A report has been filed in the year 2009 by the Deputy Director-Geology and Mining, Villupuram, the third respondent in W.P.No.7785 of 2009, in which it is stated that no quarrying activities were found in the field at the time of inspection and there was no stock of dressed black granite blocks found in the quarrying area.

3.In view of the above, there is no question of granting permission to the petitioner to carry on quarrying operations and to transport the quarrying material. Hence these writ petitions are dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

KM

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Industries Department,
Fort St.George, Chennai-600 009.
- 2.The District Collector,
Villupuram District, Villupuram.
- 3.The Assistant / Deputy Director,
Geology and Mining Department,
Villupuram.

+1cc to Government Pleader SR.No.89934

W.P.Nos.7785 of 2009
and 17123 of 2005
and
W.P.M.P.No.18590 of 2005 and
W.V.M.P.No.5 of 2013

GJII (CO)
GMY (23/01/2019)

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