

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.21145 of 2018

1.V.Kaliappan

2.K.Balakumar

3.V.Paramasivam

.. Petitioners

Vs

1.The District Collector,
Collectorate Buildings,
Coimbatore - 18.

2.The Commissioner of Geology and Mining,
Guindy, Chennai - 32.

3.The Deputy Director of Geology and Mining,
Collectorate Buildings,
Coimbatore - 18.

4.The Revenue Divisional Officer / Sub Collector,
Pollachi - 01.

5.The Tahsildar,
Pollachi - 01.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to consider the objection of the petitioners dated 23.4.2018 as per the existing Act and rules after providing opportunity to the petitioners to put forth their grievance within the stipulated time as that may be fixed by this Court.

For Petitioners : Mr.N.Umapathi

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader

O R D E R

Mr.V.Shanmuga Sundar, learned Special Government Pleader takes notice for the respondents. By consent, the writ petition

is taken up for final disposal at the admission stage itself.

2. The petitioners have come up with the present writ petition, for a mandamus, directing the first respondent to consider the objection of the petitioners dated 23.4.2018 as per the existing Act and rules, after providing an opportunity of hearing to the petitioners to put forth their grievance against the grant of quarrying licence.

3. According to the petitioners they are residing within 100 feet boundary limits of Survey No.610 of Puravipalayam Village, Pollachi Taluk, Coimbatore District. The respondents are making an attempt to commence quarry operation at the aforesaid place and if the quarry work commences, the ground water level will be greatly diminished and the cattles and agricultural activities will be affected. Hence, they made an application dated 23.4.2018, to the respondents requesting not to grant licence to any person in the aforesaid place. Hence, the same was not considered, the present writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the application of the petitioners would be considered on merits and in accordance with law.

5. In the light of the limited scope of the matter and the submissions made by the learned counsel on either side, this writ petition is disposed of, with a direction to the respondents to pass appropriate orders on the application of the petitioners dated 23.4.2018 on merits and in accordance with law, after providing due opportunity to all the necessary parties, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (Audit)

//True copy//

Sub Assistant Registrar

ms

To

1.The District Collector,
Collectorate Buildings,
Coimbatore - 18.

2.The Commissioner of Geology and Mining,
Guindy, Chennai - 32.

3.The Deputy Director of Geology and Mining,
Collectorate Buildings,
Coimbatore - 18.

4.The Revenue Divisional Officer / Sub Collector,
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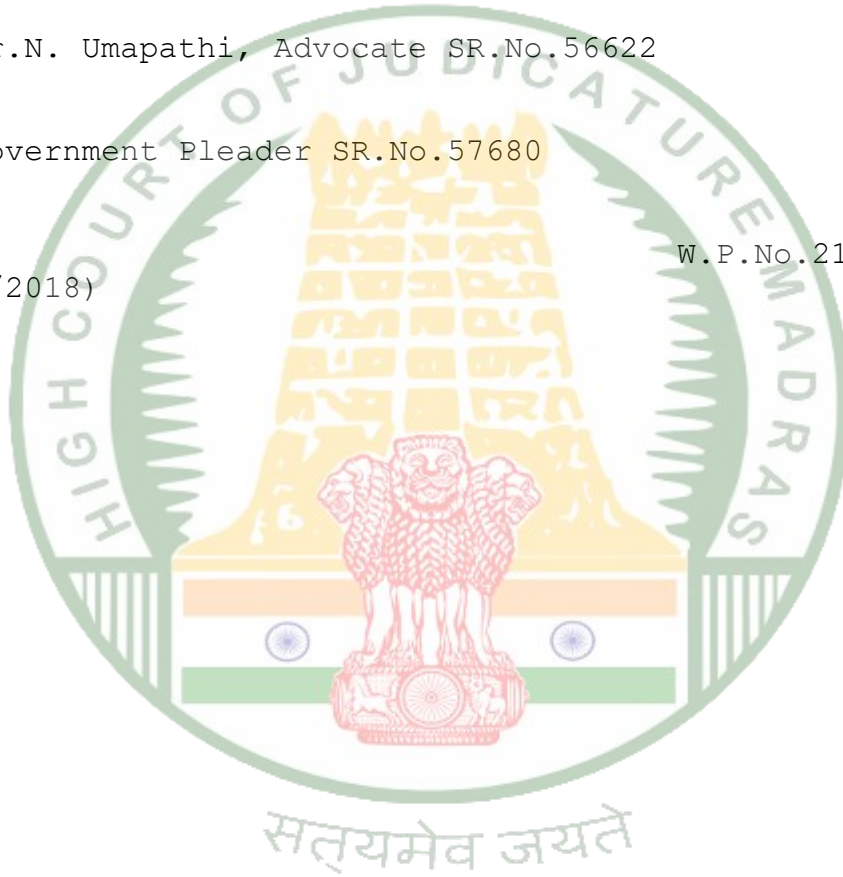
5.The Tahsildar,
Pollachi - 01.

+1cc to Mr.N. Umapathi, Advocate SR.No.56622

+1cc to Government Pleader SR.No.57680

GMV (11/09/2018)

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