

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7833 of 2018 and W.M.P.No.9775 of 2018

M.Muthuraj
S/o.Murugan,
No.1 Tamil Colony Velur 601 203,
Ponneri Taluk Tiruvallur District ... PETITIONER

Vs.

- 1 The District Collector
Tiruvallur District Tiruvallur
- 2 The Revenue Divisional Officer
Ponneri Taluk Tiruvallur District ... RESPONDENTS

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to release the petitioner's Tractor bearing Reg. No. TN 20 K 6629 with Trailer bearing Reg. No.AP 26 AX 0318 within the time prescribed by this Court.

For Petitioner : Mr.M.Alagugowtham

For Respondents : Mr.V.Jayaprakashnarayanan
Govt. Advocate

O R D E R

The petitioner is the owner of the Tractor bearing registration No.TN 20 K 6629 and Trailer bearing registration No.AP 26 AX 0318 and the same has been used by the petitioner for agricultural purpose. Counsel for the petitioner submits that on 18.3.2018, petitioner sent the tractor with trailer for taking gravel in the lake situated in Velur Village, Menjur for his agricultural purpose. While taking the gravel in the lake, the officials of the second respondent seized the Tractor with trailer and handed over the same to the Ponneri police station

on the ground that the petitioner has taken gravel without permission. Therefore, the petitioner has come to this Court.

2 Counsel for the petitioner would submit that as per Tamil nadu Mines and Mineral Rules, there is no requirement for getting prior permission for quarrying gravel/ordinary earth of small quantity for agricultural purpose. This has been properly explained in the representation, dated 13.3.2018 and the same has been sent to the second respondent, as a result, the petitioner was put to grave problem as the tractor and trailer were not released by the second respondent.

3 At this stage, the learned Special Government Pleader appearing for the respondents seeks direction to the second respondent to consider the pending representation on merit and pass orders.

4 Since the petitioner has given the representation to both the respondents on 23.3.2018, the second respondent is hereby directed to consider the pending representation given by the petitioner, dated 23.3.2018 on merit and pass appropriate orders in accordance with law within a period of one week from the date of receipt of copy of the order.

Writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1 The District Collector
Tiruvallur District Tiruvallur

2 The Revenue Divisional Officer
Ponneri Taluk Tiruvallur District

+1cc to Mr.M.Muthappan, Advocate, S.R.No.24777

+1cc to the Government Pleader, S.R.No.25936

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VGII(CO)
CS/27/04/2018