

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2018

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.11624 of 2018

Magimalayar Vettuvaikaal Kadaimadai
Pasana Vivasayigal Sangam
Rep. by its Deputy Secretary, A.Sivakumar
Kaliyappanallur Anjal, Tharangambadi Taluk
Nagapattinam District - 609 307. ... Petitioner

Vs

- 1 The Tamil Nadu Pollution Control Board
Rep. by its Member Secretary
No.76, Mount Salai
Guindy, Chennai - 600 032.
- 2 The District Environmental Engineer
Tamil Nadu Pollution Control Board
No.14 Perumalsannathi Street
Nagapattinam - 611 001
Nagapattinam District.
- 3 The District Collector
Nagapattinam District
Nagapattinam.
- 4 The Sub Collector
Mayiladuthurai Division
Mayiladuthurai
Nagapattinam District.
- 5 The Assistant Director
Department of Geology and Mines
Collectorate, Nagapattinam District.

- 6 S.Kumar
- 7 K.Indra

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to take action against the violations based on

the letter of Geology Department in O. Mu. No.29/Mines/2016, dated 29.2.2016 followed by the representation of the petitioner dated 21.3.2017.

For Petitioner : Mr.Pavel Nirmalan for
M/s.K.M. Vijayan Associates

For Respondents : Mrs.Rita Chandrasekaran
for respondents 1 and 2
Mr.E.Manoharan
Addl. Government Pleader
for respondents 3 to 5

ORDER

(Made by Ms.Indira Banerjee, Chief Justice)

This writ petition is directed against violation of the conditions of quarry lease granted to the private respondents in respect of Survey Nos.273/3A, 287, 289/1A, 298/5F and 298/7B in Kariappanallur Village, Nagapattinam District. The petitioner has sought direction on the respondents to take action against the violators, being respondent Nos.6 and 7.

2. On behalf of the State, it is submitted on instructions that a fine of Rs.4,00,000/- odd was imposed on the respondent No.6 for the alleged violations. The respondent No.6 appealed and after considering the extent of illegal quarry, the fine was reduced to Rs.1,04,500/-, which the respondent No.6 has paid. The period of quarry lease has already expired.

3. So far as the land of the respondent No.7, being the wife of the respondent No.6, is concerned, the same is required for road expansion and all quarrying activities have been stopped to facilitate expansion of the road.

4. Since action has been taken, no further order of this Court is required.

5. The writ petition is disposed of recording the submission made on behalf of the State respondents. No costs.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

sasi

To:

- 1 The Member Secretary
Tamil Nadu Pollution Control Board
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Guindy, Chennai - 600 032.
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Mayiladuthurai
Nagapattinam District.
 - 5 The Assistant Director
Department of Geology and Mines
Collectorate, Nagapattinam District.
- +1 CC to Govt. Pleader sr 34589.
+1 CC to Mrs. Rita Chandrasekar, Advocate sr 34579.
+1 CC to M/s. K.M. Vijayan Associates sr 34569.

W.P.No.11624 of 2018

PA (CO)
SP(14/06/2018)

सत्यमेव जयते

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