

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.9833 of 2016
and
W.M.P.No.8792 of 2016

Pirithi Panchayat
rep.by its President
P.Manickam, S/o.Periyasamy
Pirithi Athipalayam
Panneerkuthipalayam - 637 209
Tiruchengode Taluk,
Namakkal District. Petitioner

Vs

1. The Commissioner / Director
Mines and Geology, Guindy Industrial Estate
Guindu, Chennai - 600 032.
2. The District Collector
Namakkal District, Namakkal.
3. M.P.Granite, Elayampalayam Village
Tiruchengode Taluk,
Namakkal District. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus forbearing the respondents 1 and 2 from allowing the third respondent to operate the granite quarry situated in S.Nos.106/1, 106/2, 106/3, 106/4, 106/5, 106/7, 106/8, 106/10, 41/2A, 41/2B, 41/2C, 41/2D and 41/2E, Elayampalayam village, Tiruchengode Taluk, Namakkal District.

For Petitioners

:Mr.C.Prakasam

For Respondents

:Mrs.A.Srijayanthi,
Spl.Govt.Pleader
- for Respondents 1 and 2
Mr.T.K.S.Gandhi - for R3

O R D E R

The grievance of the writ petitioner is that the third respondent is operating a granite quarry in an illegal manner.

2. Learned counsel for the writ petitioner submits that exorbitant amount of granites are being quarried by the third respondent without any authority of law. The second respondent has erroneously granted permission, without considering the fact that the granite quarry operations are carried out within 300 metres from the residential area and on account of such illegal quarrying, the residents of that locality are being affected. In this regard, the writ petitioner had preferred an appeal to the first respondent on 02.03.2016 and the same is yet to be considered.

3. Under the circumstances, without going into the merits of the matter, the first respondent is directed to consider the appeal preferred by the writ petitioner on 02.03.2016 and pass orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of this order along with the documents if any, before the first respondent. With these directions, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected W.M.P. is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

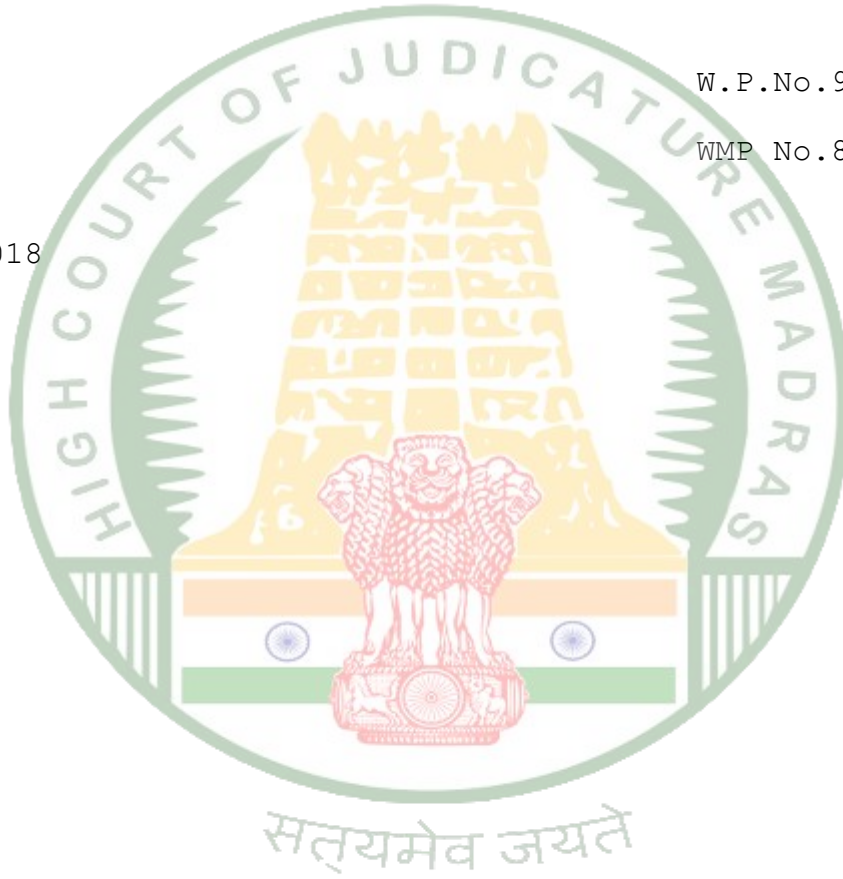
1. The Commissioner / Director
Mines and Geology, Guindy Industrial Estate
Guindu, Chennai - 600 032.

2. The District Collector
Namakkal District, Namakkal.

+1cc to Mr.C.Prakasam, Advocate Sr.57582
+1cc to the Government Pleader Sr.57688

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srg 4/9/2018



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