



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.26645 of 2018 and
W.M.P.No.31012 of 2018

T.Dharmaraj

... Petitioner

Vs

- 1.The District Collector,
Collectorate Buildings,
Coimbatore District.
- 2.The Director of Geology and Mining,
Guindy Estate,
Chennai.
- 3.The Assistant Director of Geology and Mining,
Collectorate Buildings,
Coimbatore.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pollachi, Coimbatore District.
- 5.The Tahsildar,
Pollachi,
Coimbatore District.
- 6.M/s.Alpha Silica Company,
Rep by Arvind Muthusamy,
S.F.No.351/6,
Puravipalyam Village,
Pollachi Taluk,
Coimbatore District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to pass final orders on the petitioner's representation dated 07.06.2018, in accordance with law after providing opportunity to the petitioner.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.V.Shanmuga Sundar,

Special Government Pleader for R1 to R5



O R D E R

The petitioner has come up with this writ petition seeking a direction to the first respondent to pass final orders on the petitioner's representation dated 07.06.2018, to consider the objections raised in respect of the quarry operations which is sought to be carried on in the adjacent area of the petitioner.

2. According to the learned counsel for the petitioner, an attempt by the sixth respondent to establish the quarry, violates the norms stipulated in the Mines and Minerals Rules. Hence, the petitioner submitted a representation to the first respondent regarding the same, which is said to be pending. However, the learned counsel submitted that it would suffice, if the representation dated 07.06.2018 made by the petitioner is directed to be considered by the first respondent, on merits.

3. Mr.V.Shanmuga Sundar, learned Special Government Pleader appearing for the respondents 1 to 5, submitted that the first respondent may be directed to consider the petitioner's representation dated 07.06.2018 and pass orders in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, this Court directs the first respondent to consider the petitioner's representation dated 07.06.2018 after affording due opportunity of hearing to the petitioner and the sixth respondent as well as any of the interested parties, before taking further action.

5. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsk

To

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



2.The Director of Geology and Mining,
Guindy Estate,
Chennai.

3.The Assistant Director of Geology and Mining,
Collectorate Buildings,
Coimbatore.

4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pollachi, Coimbatore District.

5.The Tahsildar,
Pollachi,
Coimbatore District.

+1 cc to M/s.N.Umapathi, Advocate SR.No.74749
+1 cc to The Government Pleader, Sr.No.74877

W.P.No.26645 of 2018

CP(CO)
CSL/26.11.2018