

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.32119 of 2018

and

WMP. No.37386 of 2018

M.S.Padmanaban

...Petitioner

Vs.

- 1.The Secretary to Government,
Environment and Forests Department,
Fort St. George,
Chennai 600 009.
 - 2.The District Collector,
Kanchipuram District.
 - 3.The Regional Development Officer,
Madhurantakam.
 - 4.The Tahsildar,
Madhurantakam.
 - 5.The Assistant Director,
Geology and Mining,
Kanchipuram District
 - 6.The District Engineer,
District Pollution Control Board,
Oragadam, Kanchipuram District.
 - 7.B.Saraswathy
- ...Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India to pass an order in the nature of Writ of Mandamus, directing the 2nd respondent to consider the representation submitted by the petitioner and others on 25.08.2018 and forebear the respondents from granting stone quarry licence to the 7th respondent in S.No.346/3 in 169 Murugambakkam Village, Maduranthagam Taluk, Kanchipuram District.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.S.V.Vijay Prasanth,
Additional Government Pleader
(Forest) for R1
Mr.Zakir Hussain ,
Government Advocate for R2 to R6

O R D E R

The Writ Petition has been filed by the petitioner to direct the 2nd respondent to consider the representation submitted by the petitioner and others on 25.08.2018 and forebear the respondents from granting stone quarry licence to the 7th respondent in S.No.346/3 in 169 Murugambakkam Village, Maduranthagam Taluk, Kanchipuram District.

2. The learned counsel for the petitioner would submit that the representation made by the petitioner and others objecting for granting of stone quarry license in favour of the 7th respondent. So far there was no response from the authorities. Therefore, the Writ Petition is filed before this Court.

3. The learned counsel for the petitioner has also submitted that the petitioner has restricted the relief only to the extent to consider his objections before the authority concerned.

4. The learned Government Advocate on instructions, would submit that the 2nd respondent is the competent authority to grant quarry license in favour of the 7th respondent. The said proposal is pending and at this stage, the present Writ Petition has been filed before this court, therefore, the Writ Petition is not maintainable.

5. By considering the said fact, the Writ Petitioner is permitted to file fresh representation before the 2nd respondent making his objection in individual capacity. Objection, if any, has been received by the 2nd respondent, the same shall be considered within a period of one (1) week from the date of receipt of a copy of this order, before considering to grant quarry license in favour of the 7th respondent.

6. The Writ Petition is disposed of with the above directions. Consequently, connected miscellaneous petition is also closed. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar (CS iii)

//True Copy//

Sub Assistant Registrar

rkp

To

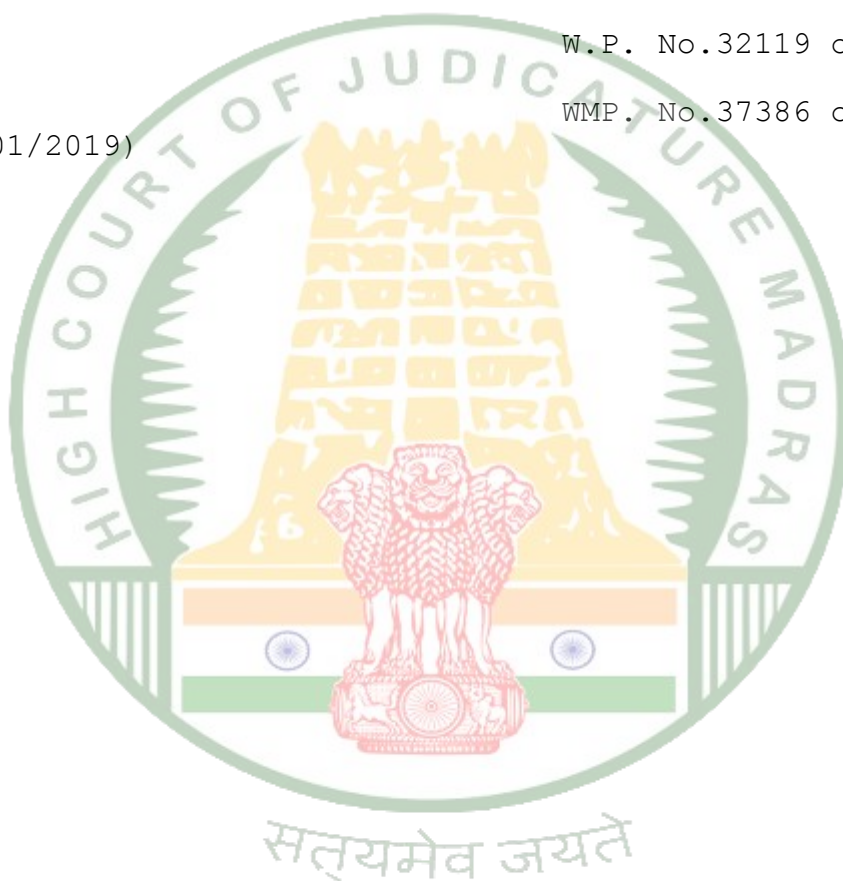
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+1 CC TO GOVERNMENT PLEADER SR.NO. 86706

ASK(09/01/2019)

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