



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.5128 of 2018
and
WMP (MD) No.5107 of 2018

Madeshwaran

.. Petitioner

Vs.

- 1.The Director,
Geology and Mining Department,
Guindy, Chennai.
- 2.The District Collector,
Trichy District.
- 3.The Assistant Director,
near District Collector Office,
Geology and Mining Department,
Trichy District.
- 4.The Tahsildar,
Musiri, Tiruchi.
- 5.Srinivasan

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to forbear the fifth respondent from running quarry in Survey No.81/2 to the extent of 2.66.5 Hectares at Papapatti village, Musiri Taluk, Tiruchi.

For Petitioner : Mr.K.Gokul
For R1 to R4 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents 1 to 4 to forbear the fifth respondent from running quarry in Survey No.81/2 to the extent of 2.66.5 Hectares at Papapatti village, Musiri Taluk, Tiruchirapalli.

2.Heard Mr.K.Gokul, learned counsel appearing for the petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondents 1 to 4. Since the



order to be passed is no way prejudicial to the interest of the fifth respondent, notice to the fifth respondent is dispensed with.

3. According to the petitioner, he is an agriculturist, residing in Survey No.85 at Papapatti Village, Musiri Taluk, Tiruchirapalli District. Now, a permission to quarry rough stone was granted to the fifth respondent in Survey No.81/2 to the extent of 2.66.5 Hectares. The grievance of the petitioner is that the fifth respondent is indiscriminately using heavy explosives and causing damage to the petitioner's property and also illegally transporting the materials without any valid permit. In the above circumstances, the petitioner has given a representation dated 05.10.2017. So far, no action has been taken. Hence, this writ petition has been filed.

4. Considering the facts and circumstances, without going into the merits of the case, as that the petitioner's representation is pending from the year 2017, the first respondent is directed to consider the petitioner's representation dated 05.10.2017 and pass suitable orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner as well as to the fifth respondent.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, WMP(MD) No.5107 of 2018 is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Director, Geology and Mining Department,
Guindy, Chennai.

2. The District Collector, Trichy District.

3. The Assistant Director, near District Collector Office,
Geology and Mining Department, Trichy District.

4. The Tahsildar, Musiri, Tiruchi.

+1CC to Mr.K.Gokul, Advocate, SR.No. 54172

+1CC to the Special Government Pleader SR.No.54503

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09.03.2018

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AM/KK/SAR 2/27.03.2018/2P/7C