



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.5165 of 2018

D.S.Wilson

.. Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
at Nagercoil.
2. The Assistant Director,
Geology and Mining Department,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

... Respondents

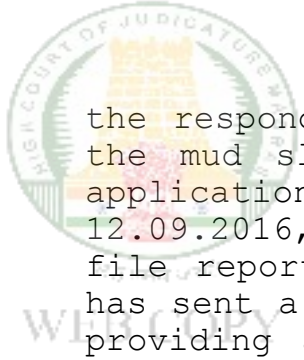
Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 herein to grant permission to remove the sand slope in R.S.No.570/ 2&3 in Chemponvilai Village, Kalkulam Taluk, Kanyakumari District on the basis of the report of the third respondent in Na.Ka.No.6832/2015 dated 22.12.2016.

For Petitioner	:	Mr.A.Rajkumar Sen
For Respondents	:	Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents 1 and 2 herein to grant permission to remove the sand slope in R.S.No.570/ 2 & 3 in Chemponvilai Village, Kalkulam Taluk, Kanyakumari District, on the basis of the report of the third respondent in Na.Ka.No.6832/2015 dated 22.12.2016.

2. According to the petitioner, he is the owner of the property in R.S.No.570/ 2 & 3 in Chemponvilai Village, Kalkulam Taluk, Kanyakumari District. Earlier, he filed an application before



the respondents 1 and 2 on 07.09.2016, seeking permission to level the mud slope in the above survey number. After receipt of the application, the first respondent, by the proceedings dated 12.09.2016, directed the third respondent to conduct inspection and file report. Pursuant to the same, the third respondent/Tahsildar, has sent a recommendation dated 22.12.2016 to the first respondent, providing all the necessary particulars. Thereafter, no order has been passed. Hence, this writ petition has been filed.

3.Considering the fact that the petitioner's application is pending from the year 2016 and the third respondent has also sent recommendation to the first respondent/District Collector, the first respondent is directed to consider the petitioner's application dated 07.09.2016 and pass suitable orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner.

4.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
at Nagercoil.
2. The Assistant Director,
Geology and Mining Department,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Kalkulam Taluk,
Kanyakumari District.

+ 1 CC TO Mr.A.RAJKUMAR SEN, ADVOCATE IN SR No. 54405
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 55093

MJ

TE/SKN-RSK/SAR-1 : 26/03/2018 : 2P/6C

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