WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.05.2018

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.10583 of 2018

K.Karunakaran ... Petitioner

Vs.

1. The District Collector,
   Thoothukudi District,
   Thoothukudi.

2. The Revenue Divisional Officer,
   Tiruchendur Division,
   Thoothukudi District.

3. The Tahsildar,
   Sathankulam Taluk,
   Thoothukudi District. ... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct respondents 1 and 3 to take appropriate action and stop the illegal sand theft at Avudaiyarkulam, Tiruchendur for using commercial purpose and by considering the petitioner's representation, dated 13.04.2018 and 17.04.2018.

For Petitioner : Mr.P.Balamurugan
For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

***

O R D E R

This Writ petition is filed for issuance of a Writ of Mandamus, directing respondents 1 and 3 to take appropriate action and stop the illegal sand theft at Avudaiyarkulam, Tiruchendur for using commercial purpose and by considering the petitioner's representation, dated 13.04.2018 and 17.04.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

https://hcservices.ecourts.gov.in/hcservices/

3. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction to the respondents, the learned counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 13.04.2018 and 17.04.2018.

5. Having regard to the grievance of the petitioner in this Writ petition, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to issue the following direction:-

> *"Respondents 1 and 3 are directed to consider the representation of the petitioner, dated 13.04.2018 and 17.04.2018, after hearing and giving sufficient opportunity to the petitioner to substantiate his case regarding illegal sand theft and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order."*

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(w)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
   Thoothukudi District,
   Thoothukudi.

2. The Revenue Divisional Officer,
   Tiruchendur Division,
   Thoothukudi District.

3. The Tahsildar,
   Sathankulam Taluk,
   Thoothukudi District.

+1cc to Mr.J.David Ganesan, Advocate Sr.No.65082
+1cc to Spl.Government Pleader Sr.No.65169

PMU
VB/SV/MMS/SAR2/14/05/2018/2P/6C

https://hcservices.ecourts.gov.in/hcservices/