



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.07.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P(MD)No.13576 of 2018
and
W.M.P(MD)No.12371 of 2018

T.Ramasamy

... Petitioner

Vs.

The District Level Environment Impact
Assessment Authority (DEIAA),
represented by
The District Collector/Chairman,
District Collectorate,
Virudhunagar District,
Virudhunagar.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondent to consider the application of the petitioner dated 10.01.2018 and issue Environment Clearance to the petitioner for quarrying savadu (brick earth) from the lands bearing S.F.Nos.612, 613, 614, 615, 616 and 617 admeasuring 2.55.0 Hectares in Vembakottai Village, Vembakottai Taluk, for the quantity of 25,000 units for a period of three months within the time frame fixed by this Court.

For Petitioner	: Mr.V.Sanjeevi
For Respondent	: Mr.S.Nagarajan
	Special Government Pleader

ORDER

Mr.S.Nagarajan, learned Special Government Pleader takes notice for the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal.

3. It is the grievance of the petitioner that his application dated 10.01.2018, seeking to issue Environment Clearance for quarrying savadu (brick earth) from the lands bearing S.F.Nos.612, 613, 614, 615, 616 and 617 admeasuring 2.55.0 Hectares in Vembakottai Village, Vembakottai Taluk, for the quantity of 25,000 units for a period of three months, has not been considered by the respondent till date. Therefore, he has filed the present writ petition.



4. I have considered the rival contentions.

5. This Court has not expressed any of its view with regard to the merits of the representation/application made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondent is duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to consider the petitioner's representation within a stipulated time.

6. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's application dated 10.01.2018 on its own merits and pass orders in accordance with law, within a period of one month from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to all the necessary parties who may be interested in the matter in issue.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The District Collector/Chairman,
The District Level Environment Impact
Assessment Authority (DEIAA),
District Collectorate,
Virudhunagar District,
Virudhunagar.

+1cc to M/S.V.Sanjeevi, Advocate SR.No. 70855

W.P (MD) No.13576 of 2018

and

W.M.P (MD) No.12371 of 2018

03.07.2018

rsb

JM/PN/SAR 2/17.07.2018/2P/3C

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