



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM

AND

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

WEB COPY

W.P.[MD].No.17107 of 2018

and

W.M.P.(MD).No.15060 of 2018

G.Pandara Selvam

: Petitioner

Vs.

1. The District Collector,
Virudhunagar District, Virudhunagar.
2. The Deputy Director, Mines Department,
Virudhunagar District.
3. The Revenue Divisional Officer,
Sattur, Virudhunagar District.
4. The Tahsildar,
Sattur Taluk, Virudhunagar District.
5. Kadarkarai Thangam

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to cancel the leasehold right that has been granted in favour of the fifth respondent, vide his proceedings in Na.Ka.K.V.3/510/2018, dated 10.07.2018, with regard to the quarrying operation in the lands comprised in Patta Nos.893, 894, 872 and 654, measuring to the extent of 2.44.05 hectares at M.Nagalapuram Village, Sattur Taluk, Virudhunagar District.

For petitioner

: Mr.R.Anand

For respondents 1to4

: Mr.R.Sethuraman

Special Government Pleader

ORDER

[Order of the Court was made by C.T.SELVAM, J.]

The petitioner seeks a Writ of Mandamus directing the first respondent to cancel the leasehold right granted in favour of the fifth respondent, vide his proceedings in Na.Ka.K.V.3/510/2018, dated 10.07.2018, with regard to the quarrying operation in the lands in Patta Nos.893, 894, 872 and 654, measuring to the extent of 2.44.05 hectares at M.Nagalapuram Village, Sattur Taluk, Virudhunagar District.



2. The petitioner, who is stated to be attached with the Bar Association at Kovilpatti, has submitted a representation dated 29.07.2018, before the first respondent, complaining that the fifth respondent, on his own accord, has been using lorries for the purpose of transportation of sand, violating lease condition. He has further stated in the said representation that though the fifth respondent was allowed to quarry up to the quantity of 800 tractor loads of sand, he has exceeded such limit and has been quarrying the sand more than the quantity permitted by the first respondent. The said representation, till date, remains unanswered.

3. We have heard Mr.R.Anand, learned counsel for the petitioner and Mr.R.Sethuraman learned Special Government Pleader for the respondents 1 to 4.

4. After hearing the learned counsel for the parties, the Writ Petition shall stand disposed of with a direction to the first respondent to ensure that the total quantum of low quality sand quarried does not exceed the equivalent of 800 tractor loads thereof. As a guideline, we would inform that it would be appropriate for the authorities to inform the permissible quantity in metric tonnes or cubic metres. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The District Collector,
Virudhunagar District, Virudhunagar.
2. The Deputy Director, Mines Department,
Virudhunagar District.
3. The Revenue Divisional Officer,
Sattur, Virudhunagar District.
4. The Tahsildar,
Sattur Taluk, Virudhunagar District.

+1CC to Mr.R.Anand, Advocate, SR.No.76374

+1CC to the Special Government Pleader SR.No. 76792

W.P.[MD].No.17107 of 2018

01.08.2018