



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
W.P.[MD].No.17732 of 2018
and
W.M.P. (MD) .No.15620 of 2018

S.K.Mohan : Petitioner

Vs.

- 1.The Assistant Director,
Mines and Mineral Department,
Virudhunagar District Collector Complex,
Virudhunagar.
- 2.The Tahsildar,
Kariyapatti Taluk, Virudhunagar District.
- 3.The Tahsildar,
Thiruchuli Taluk, Virudhunagar District.
- 4.K.Muthupandi
- 5.The Riviera Estate,
Represented by
N.Patchayappan, aged 63 years,
S/o.Nanjappa Gounder,
169, PLS Nagar, Chinniyampalayam Post,
Coimbatore 641 062.

6.G.Blessing Jebaseelan : Respondents
[R-4 to R-6 impleaded vide order dated 19.09.2018 made in W.M.P.
(MD).Nos.17685, 17686 and 17707 of 2018 in W.P.(MD).No.17732 of
2018]

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to appoint appropriate investigating agency or CBI enquiry to investigate the illegal sand mining in the name of Savudu sand to arrive the loss to Government by way of GST in the areas at Thiruchuli, Kariapatty and Aruppukotttai Tanks of Virudhunagar District.

For petitioner

: Mr.N.Sundaresan

<https://hcservices.ecourts.gov.in/hcseervices/>
For respondents 1to3

: Mr.A.K.Baskarapandian

Special Government Pleader



For Respondent Nos.4 & 5 : Mr.M.Subash Babu

For Respondent No.6 : Mr.C.Selvakumar

(Proposed Impleaded Respondents)

O R D E R

[Order of the Court was made by M.M.SUNDRESH, J.]

This Writ Petition has been filed on the premise that illegal mining is carried on at Thiruchuli, Kariapatty and Aruppukotttai Tanks of Virudhunagar District.

2. From the records produced, it appears that the impleaded respondents have got respective licenses and therefore, the only way open to the petitioner is to challenge the aforesaid licenses, as this Court cannot go into the veracity of the same in this proceedings.

3. Accordingly, the Writ Petition stands disposed of giving liberty to the petitioner to challenge the licenses granted in favour of the impleaded respondents. However, considering the averments made, we direct the first respondent to make an inspection and satisfy as to whether the conditions imposed in the licenses granted to the impleaded respondents are complied with. If they are not complied with, appropriate action will have to be taken against the impleaded respondents. The aforesaid exercise shall be done within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Assistant Director,
Mines and Mineral Department,
Virudhunagar District Collector Complex,
Virudhunagar.
- 2.The Tahsildar,
Kariyapatti Taluk, Virudhunagar District.
- 3.The Tahsildar,
Thiruchuli Taluk, Virudhunagar District.

+1cc to Mr.N.SUNDARESAN, Advocate, SR.No. 85129

+2cc to Mr.M.SUBASH BABU, Advocate, SR.No.86166

+1cc to Mr.C.SELVAKUMAR, Advocate, SR.No. 86169

+1cc to M/s.Special Government Pleader,SR.No. 85629

W.P.[MD].No.17732 of 2018

19.09.2018

2/2