



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Monday, the Twelfth day of November Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice K.K.SASIDHARAN
and

The Hon`ble Mr.Justice P.D.AUDIKESAVALU

WP(MD) No.12940 of 2017

R.B.RATHINAM

S/O. POMAYA GOUNDER, SOUDAMMA KOVIL STREET,
3RD WARD, RASINGAPURAM, BODI TALUK, THENI DISTRICT.

... PETITIONER IN WP(MD) No.12940 of 2017

Vs

1.THE DISTRICT COLLECTOR,
THENI DISTRICT.

2.THE ASSISTANT DIRECTOR OF MINES,
THENI DISTRICT.

3.THE REVENUE DIVISIONAL OFFICER,
UTHAMAPALAYAM, THENI DISTRICT.

4.THE TASHILDHAR,
BODI TALUK, THENI DISTRICT.

5.THE DISTRICT SUPERINTENDENT OF
POLICE, UTHAMAPALAYAM, THENI DISTRICT.
(R5 IS SUO MOTU IMPEADED VIDE COURT ORDER DT.
13/07/17 IN WP(MD)12940/17)

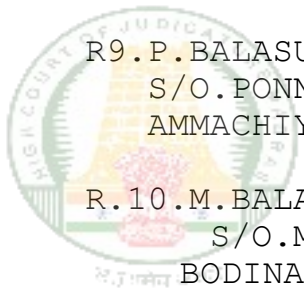
6.K.PREM
S/O.KARUNAKARAN, NO.60, GANESH NAGAR,
TUTICORIN.

7.G.JEYARAJ
S/O.GURUSAMY GOUDAR, NO.221/1, KEELAPATTI,
RASINGAPURAM, BODINAYAKKANUR TALUK, THENI DISTRICT.

... (R6 & 7 ARE IMPEADED VIDE COURT ORDER DT.
20/07/17 IN WMP(MD)NOS.10507 & 10508/17)

R8. M.SIVANESAN

S/O.MADHAVAN, DOOR NO.101B, ALAMARATHU 1ST STREET, CUMBUM,
UTHAMAPALAYAM TALUK, THENI DISTRICT.



R9.P.BALASUNDARRAJ

S/O.PONNUSAMY, DOO NO.34C, SOUTH STREET,
AMMACHIYAPURAM, AUNDIPATTI TALUK, THENI DISTRICT.

R.10.M.BALAMURUGAN

S/O.MUTHU, MUNIAPPAN KOVIL STREET, SILAMALAI VILLAGE,
BODINAICKANUR TALUK, THENI DISTRICT.

WEB COPY

...(R8 TO 10 ARE IMPEADED VIDE COURT ORDER DT.
27/07/17 IN WMP(MD)10920/17)

R11. ANANDAN, S/O.PONNUKALAI

33C/6, SAMULKULAM 2ND STREET, CHINNAMANUR TOWN,
UTHAMAPALAYAM TALUK, THENI DIST. (R11IS IMPEADED VIDE CT.
ORDER DT.08/10/18 IN WMP(MD)13435/17)

... RESPONDENT WP(MD) No.12940 of 2017

Prayer in WP(MD). 12940/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to take appropriate action to prevent the illegal quarrying of sand at naturally formed sand shield/sand dune situated at Rasingapuram Village, Bodi Taluk and Theni District and further directing the respondents to take appropriate measures to preserve and protect the sand shield/sand dune.

ORDER:

This writ petition coming on for hearing on this day, upon perusing the earlier order dated 08.10.2018 and material papers of this petition and upon hearing the arguments of Mr.B.Saravanan Advocate for the petitioners and of Mr.A.K.Baskarapandian, Special Government Pleader for the Respondents No.1 to 5, Mr.R.Suriyanarayanan, Advocate for R6, Mr.Rajesh, Advocate for R7, Mr.P.Venkateshan Advocate for R8 and of MR.C.Jeganathan Advocate for R10, the Court made the following order:-

ORDER

[Order of the Court was made by K.K.SASIDHARAN, J.]

The District Superintendent of Police, Uthamapalayam, Theni District, has filed a status report, pursuant to the direction issued by this Court, by order dated 08 October, 2018. The report does not contain any indication with regard to the illegal quarrying undertaken by the respondents 6 to 11.

2. The Writ Petition was disposed of by the Division Bench, by order dated 08 October, 2018. It was only while disposing of the Writ Petition, a direction was given to the District Superintendent of Police, Uthamapalayam, Theni District, to file a status report. Now that the District Superintendent of Police has filed a status report, nothing remains to be adjudicated by this Court. It is



always open to the petitioner to approach this Court, in case he is still aggrieved or in the event of undertaking illegal quarrying operations by the respondents 6 to 11 or others.

Sd/-

Assistant Registrar (CO)

/True Copy/

WEB COPY

Sub Assistant Registrar (CS-II)

TO

1. THE DISTRICT COLLECTOR
THENI DISTRICT.

2. THE ASSISTANT DIRECTOR OF MINES, THENI DISTRICT.

3. THE REVENUE DIVISIONAL OFFICER
UTHAMAPALAYAM, THENI DISTRICT.

4. THE TASHILDHAR
BODI TALUK, THENI DISTRICT.

5. THE DISTRICT SUPERINTENDENT OF POLICE, UTHAMAPALAYAM,
THENI DISTRICT.

+1. C.C. to Mr. B. SARAVANAN Advocate SR.No.94887.
+ 1 CC TO M/s. VEERA ASSOCIATES, IN SR No.94947.

ORDER DATE : 12/11/2018

ORDER

WP(MD) No.12940 of 2017

Giving Direction as stated
within etc.,

DS RP SAR2 16 11 2018 3P 8C