



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN**W.P.(MD)No.882 of 2013andM.P.(MD)No.1 of 2013

C.Kosalaiammal

... Petitioner

-Vs-

1.The District Collector,  
Tirunelveli District,  
Tirunelveli.

2.The Deputy Director of Town and Country Planning,  
Palayamkottai,  
Tirunelveli-2.

3.The Block Development Officer,  
Kurivikulam Panchayat Union,  
Kurivikulam, Sankarankovil Taluk,  
Tirunelveli District.

4.The President,  
Sevalkulam Panchayat,  
Sevalkulam, Sankarankovil Taluk,  
Tirunelveli District.

5.P.Seethammal

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 1 to 4 from sanctioning any layout planning permission to construct the building or dwelling unit within 300 meters radius from the quarrysite comprised in the land bearing S.F.Nos.1050/2, 1051/1, 2 & 3, 1052/2, 1057/2 & 1058/1A & 1B admeasuring 4.36.0 Hectares in Sevalkulam Village, Sankarankovil Taluk, Tirunelveli District.

For Petitioner : Mr.V.Sanjeevi

For R1 to R4 : Mr.M.Rajarajan,  
Government Advocate.For R5 : Mrs.Raghavendri,  
for Mr.K.Prabhu

**ORDER**

This writ petition has been filed, seeking a direction to forbear the respondents 1 to 4 from sanctioning any layout planning permission to construct the building or dwelling unit within 300 meters radius from the quarrysite comprised in the land bearing S.F.Nos.1050/2, 1051/1, 2 & 3, 1052/2, 1057/2 & 1058/1A & 1B admeasuring 4.36.0 Hectares in Sevalkulam Village, Sankarankovil Taluk, Tirunelveli District.

2. According to the petitioner, she is the owner of lands in S.F.Nos.1050/2, 1051/1, 2 & 3, 1052/2, 1057/2 & 1058/1A & 1B. Earlier, the first respondent had granted permission to the petitioner for quarrying gravel in the above lands for a period of five years, during the currency of the quarrying operations, the fifth respondent has filed an application before the fourth respondent for granting permission to construct a house within the prohibited distance of 300 meters. In the above circumstances, the petitioner filed an application before the respondents 1 to 4, not to grant any permission to the fifth respondent. But, so far no action has been taken. Hence, the present writ petition has been filed.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that already permission granted to the petitioner has been over by 2017. Now, the petitioner has filed an application seeking permission to conduct quarry, and the same is pending.

4. In the above circumstances, as on date, there is no permission is granted in favour of the petitioner, and not conducting quarrying operations, therefore, the relief sought in the writ petition cannot be granted at this stage. However, in the event any permission is granted in future, it is always open to her to renew her application.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

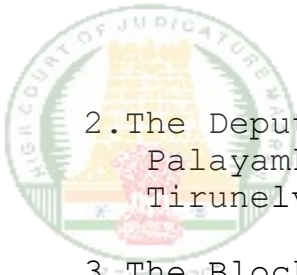
Sd/-  
Assistant Registrar (W)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,  
Tirunelveli District,  
Tirunelveli.



2.The Deputy Director of Town and Country Planning,  
Palayamkottai,  
Tirunelveli-2.

3.The Block Development Officer,  
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Kurivikulam, Sankarankovil Taluk,  
Tirunelveli District.

4.The President,  
Sevalkulam Panchayat,  
Sevalkulam, Sankarankovil Taluk,  
Tirunelveli District.

+1CC TO Mr.V.Sanjeevi, Advocate, Sr No.51158

W.P (MD) No.882 of 2013  
23.02.2018

Myr

**MS/KK/SAR-4/14.03.2018/3P.6C**