

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2019
CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI
W.P.No.11319 of 2008 and
M.P.No.1 of 2008

1. A.Gowrishankar
2. K.R.Palanisamy .. Petitioners
Vs

1. The Collector,
Coimbatore District
2. The Deputy Director,
Town and Country Planning,
Coimbatore - 641 018
3. The Village Administrative Officer,
Kannampalayam, Palladam Taluk,
Coimbatore District
4. The Assistant Director of Geology and Mining
Office of the District Collector,
Coimbatore - 641 018
5. The Executive Engineer,
Operation and Maintenance
Tamilnadu Electricity Board,
Palladam, Coimbatore District ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the respondents from giving any planning sanction or electricity connection within the prohibited distance of 300 metres from S.F.Nos.39/5 and 39/2 in Kannampalayam Village, Palladam Taluk, Coimbatore District.

For Petitioner : Ms.T.Rama Devi
For Respondents : Ms.K.Bhuvaneswari
1 to 4 Additional Government Pleader
For Respondent No.5: No Appearance

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus forbearing the respondents from giving any planning sanction or electricity connection within the prohibited distance of 300 metres from S.F.No.39/5 and 39/2 in Kannampalayam Village, Palladam Taluk, Coimbatore District.

2. The case of the petitioners is that the petitioners and others have granted permission by the Collector / 1st respondent to quarry stones in their patta lands in S.No.39/5 and 39/2 and the same has been carried out for the past several years. While so, some of the persons / 3rd parties are attempting to put up an unauthorised construction within the prohibited distance of quarrying site and if upapproved layouts are given water connections and electricity connections without prior permission of the Director of Geology and mining, [as the same is within the prohibited distance of 300 metres], it would affect the petitioners and other similarly situated persons to carryout the quarrying operations in the subject property. Hence the petitioners have made a representation dated 17.10.2005 to the 3rd respondent, however, the same has not been considered, hence the present Writ Petition.

3. A perusal of the documents would show that the Writ Petition was filed in the year 2008 and there is no interim stay granted by this Court. Further, the learned counsel for the petitioner is not in a position to apprise the present position. Considering the passage of time, I do not find any merit in the Writ Petition, hence the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssd
To

1. The Collector,
Coimbatore District
2. The Deputy Director,
Town and Country Planning,
Coimbatore - 641 018
3. The Village Administrative Officer,
Kannampalayam, Palladam Taluk,
Coimbatore District
4. The Assistant Director of Geology and Mining
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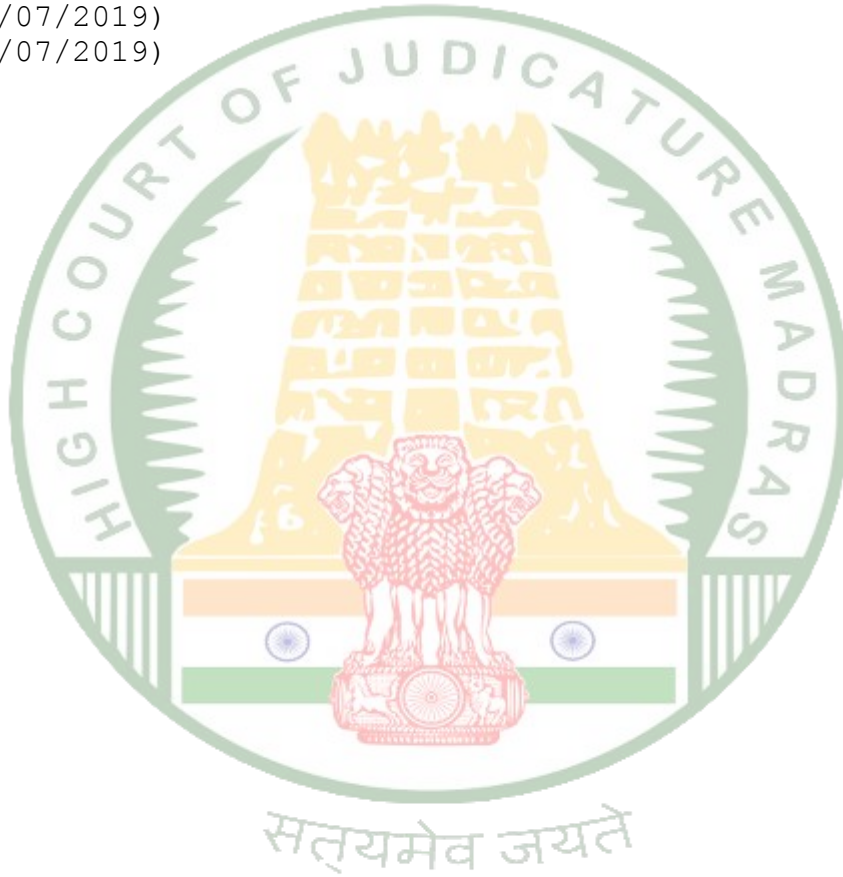
5. The Executive Engineer,
Operation and Maintenance
Tamilnadu Electricity Board,
Palladam, Coimbatore District

+1 cc to Government Pleader Sr.No. 46275

W.P.No.11319 of 2008 and
M.P.No.1 of 2008

A.SK(08/07/2019)

A.SK(24/07/2019)



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