



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2019

CORAM

THE HON'BLE Mr. JUSTICE M.DHANDAPANI, J.

W.P.Nos.30669 of 2008 & 861 of 2010

M.P.Nos.1 & 2 of 2008 and 1 of 2010

N.S.Akilandeswari

...Petitioners in both W.Ps

Vs

1. The District Collector
Coimbatore District,
Coimbatore.

...R1 in W.P.No.30669 of 2008

2. The Deputy Director of Town
and Country Planning
Corporation Shopping Complex,
Dr.Nanjappa Road, Coimbatore.
2008

..R2 in W.P.No.30669 of

3. The Assistant Director
Tirupur Local Town and Country Planning
Tirupur.

...R3 in W.P.No.30669 of 2008 &
R2 in W.P.No.861 of 2010

4. The Executive Officer
Thiru Murugan Poondi Panchayat Union
Thiru Murugan Poondi
Avinasi, Coimbatore District.

...R4 in W.P.No.30669 of 2008 &
R3 in W.P.No.861 of 2010

5. The Inspector of Police,
Anupparpalayam Police Station
Anupparpalayam, Tirupur.

...R5 in W.P.No.30669 of 2008

6.Rani

...R6 in W.P.No.30669 of 2008

7.Kuppusamy

...R7 in W.P.No.30669 of 2008

8.Sekar

...R8 in W.P.No.30669 of 2008

9. The District Collector
Tirupur District
Tirupur.

...R1 in W.P.No. 861 of 2010

10. The Executive Officer
No.15, Velampalayam (III Grade) Municipality
Anupparpalayam Post
Tirupur District.

...R4 in W.P.No.861 of 2010



11.A.Ponnusamy

...R5 in W.P.No.861 of 2010

12. Erwin Manoharan

...R6 in W.P.No.861 of 2010

PRAYER IN W.P.No.30669 of 2008: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the respondents 1 to 5 to take appropriate action against the persons who unauthorisedly constructing the buildings in S.Nos.610/2, 612/2 and 615 of Rakkiapalayam Village Tirumurugan Poondi Panchayat, Avinasi Taluk, Coimbatore within 300 meters from the quarry site and remove the same.

PRAYER IN W.P.No.861 of 2010: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the persons who unauthorisedly constructing the buildings in S.No. 615 of Rakkiapalayam Village Tirumurugan Poondi Panchayat, and S.No.25/2B of 15, Velampalayam Village, Tirupur District within 300 meters from the quarry site and remove the same.

For Petitioner : M.Muthappan

in both W.Ps

For Respondents: Mr.J.Ramesh

in both W.Ps Additional Government Pleader

for R1, R2, R4 and R5.

M/s.S.Anitha for R3.

C O M M O N O R D E R

The prayer in W.P.No.30669 of 2008 for issuance of a Writ of Mandamus, to direct the respondents 1 to 5 to take appropriate action against the persons who are unauthorisedly constructing buildings in S.Nos.610/2, 612/2 and 615 of Rakkiapalayam Village Tirumurugan Poondi Panchayat, Avinasi Taluk, Coimbatore within 300 meters from the quarry site and remove the same.

2. The prayer in W.P.No.861 of 2010 for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to take appropriate action against the persons who unauthorisedly constructing the buildings in S.No. 615 of Rakkiapalayam Village Tirumurugan Poondi Panchayat, and S.No.25/2B of 15, Velampalayam Village, Tirupur District within 300 meters from the quarry site and remove the same.

3. The petitioner was granted with a quarry licence in the year 2005 and the licence period has expired in the year 2010 itself. Thereafter, the petitioner has not renewed the licence



and therefore, no extension of licence period was granted. Therefore, nothing survives for further adjudication in this writ petition. Accordingly, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ssb

To

1. The District Collector
Coimbatore District,
Coimbatore.
2. The Deputy Director of Town
and Country Planning
Corporation Shopping Complex,
Dr.Nanjappa Road, Coimbatore.
3. The Assistant Director
Tirupur Local Town and Country Planning
Tirupur.
4. The Executive Officer
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Thiru Murugan Poondi
Avinasi, Coimbatore District.
5. The Inspector of Police,
Anupparpalayam Police Station
Anupparpalayam, Tirupur.
6. The District Collector
Tirupur District
Tirupur.
7. The Executive Officer
No.15, Velampalayam (III Grade) Municipality
Anupparpalayam Post
Tirupur District.



+1cc to Mr.M.Muthappan, Advocate SR.No.61461

+1cc to Government Pleader SR.No.61882

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W.P.Nos.30669 of 2008 & 861 of 2010

M.P.Nos.1 & 2 of 2008 and 1 of 2010

AD (CO)

GMV (29/08/2019)