

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.17280 of 2019

N.Jaya Rama Reddy

... Petitioner

Versus

- 1.The Government of Tamil Nadu,  
rep.by its Principal Secretary,  
Geology and Mining Department,  
Fort St.George, Secretariat,  
Chennai-600 009.
  - 2.The Director of Geology and Mining,  
Guindy,  
Chennai-600 032.
  - 3.The District Collector,  
Krishnagiri District,  
Krishnagiri.
  - 4.The Assistant Director,  
Department of Geology and Mining,  
Collector's Office,  
Krishnagiri District.
  - 5.M/s.S.S.V Blue Metals  
Rep.by its Partner M.Sarvesh  
No.359, 366/2A, 367/1B, Mugalur Village,  
Hosur Taluk,  
Krishnagiri District.
  - 6.M/s.S.S.V.Blue Metals  
Rep.by its Partner G.Lokesh  
No.359, 366/2A, 367/1B, Mugalur Village,  
Hosur Taluk,  
Krishnagiri District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus forbear the respondents 1 to 4 herein from in anyway granting quarry license in favour of the respondents 5 and 6 for the lands comprised in S.Nos.367/1A, 367/1B, 359, 366/2A, 360/1,

360/2, 360/3, 366/2A, 698/1A, 698/1B, 698/2, Mugalur Village , Hosur Taluk, Krishnagiri District without giving the opportunity to the petitioner herein.

For Petitioner : Mr.M.P.Saravanan

For R1 to R4 : Mr.N.Inbanathan  
Additional Government Pleader

O R D E R

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 4.

2. The petitioner fear that the quarry license will be granted to the respondents 5 and 6 in violation of the Mines condition that no quarry license can be given if any residential area is within 500 meters radius of the quarry site.

3. The case of the petitioner is that the residence and urban land are within 500 meters from the topaz quarry for which the third respondent has sought for grant of license. Hence, before granting license he must be heard.

4. If the petitioner lawfully resides within 500 meters from the proposed quarry of the third respondent, under no circumstances the respondents can grant quarry license. If the petitioner is beyond 500 meters from the proposed quarry site, then there is no mandate for the respondents to afford opportunity to the petitioner. As such on either way the petitioner has no locus to file the writ petition.

5. In the result, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-VII)

//True copy//

Sub Assistant Registrar

rpl

To

1.The Principal Secretary,  
Government of Tamil Nadu,  
Geology and Mining Department,  
Fort St.George, Secretariat,  
Chennai-600 009.

2.The Director of Geology and Mining,  
Guindy,  
Chennai-600 032.

3.The District Collector,  
Krishnagiri District,  
Krishnagiri.

4.The Assistant Director,  
Department of Geology and Mining,  
Collector's Office,  
Krishnagiri District.

+1cc to Mr.M.P.Saravanan, Advocate SR.No.51471

+1cc to Government Pleader, High Court, Madras SR.No.52310

W.P.No.17280 of 2019

MP (CO)  
GMY (22/07/2019)



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