

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.30421 of 2017
and WMP.No.33178 of 2017

A.Velu .. Petitioner
Versus

- 1.The District Collector,
Vellore District,
Vellore.
- 2.The Revenue Divisional Officer,
Ranipet,
Vellore District, Vellore.
- 3.The Chairman and Managing Director,
Tamil Nadu Pollution Control Board Branch
Assylum College Road,
Gandhi Nagar, Vellore.
- 4.The Superintendent of Police,
Vellore District, Vellore.
- 5.Kumaresan

6.Srinivasan .. Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents 1 to 4 herein to direct the respondents 5 and 6 herein to stop all the illegal activities of transporting sand and mud, dumping of lignite soil on the main road and also selling petrol and Diesel in the petitioners village situated at Perumbulipakkam, Arakkonam Taluk, Vellore District.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.A.N.Thambidurai
Additional Government Pleader
for R1 to R4
Mr.D.Nagarajan (No appearance)

ORDER

[Order of the Court was made by M.SATHYANARAYANAN,J.,]

The writ petitioner claims to be a General Secretary, Perumbulipakkam Grama Munnetra Sangam came forward to file this writ petition as a Public Interest Litigation alleging that private parties are illegally transporting mud and sand from his Village by using heavy machineries. Since the representation submitted in this regard has failed to invoke any kind of response, he is constrained to approach this Court by filing this writ petition.

2. The learned counsel appearing for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that the private parties are quarrying sand and mud from the Government Poromboke LAND without any permission or authorisation and despite representations dated 10.03.2017 and 08.11.2017 were submitted in this regard, no action has been taken and therefore the petitioner is constrained to move this Court by filing this writ petition.

3. There is no representation on behalf of the respondents 5 and 6 However the respondents had filed their counter affidavit supported by typed set of documents.

4. A perusal of the typed set of documents would disclose that the 5th respondent is the Ex-President of Village Panchayat doing agricultural activities along with the 6th respondent and also a registered contractor and obtained due license from local Police as well as the Tamil Nadu Pollution Control Board and running business in a lawful manner. The petitioner with an oblique motive, has submitted a representation with incorrect and wrong particulars and prays for dismissal of this petition. In the typed set of documents, paper publication was also effected with regard to the alleged illegal acts of cheating and alleged offence on the part of the petitioner and his wife with regard to the sale of 4 and 5 acres of land.

5. Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the official respondents would submit that inspection was also caused and the Village Administrative Officer, Perumbulipakkam has also submitted a report stating that no illegal quarrying is going on and based on which, the Tahsildar has also sent a communication dated 08.07.2019 in Na.Ka.No.AA1/120/2019 addressed to the learned Government Pleader, High Court stating that after obtaining necessary permission, the business of sale of sand is going on from 26.10.2019.

6. This Court in the light of the above facts and circumstances directs the Tahsildar, Nemili to sent necessary communication as to the action taken on the petitioner's representation and the said exercise is to be carried out within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition stands disposed of with the above observation. However there shall be no order as to costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Vellore District,
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- 3.The Chairman and Managing Director,
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Assylum College Road,
Gandhi Nagar, Vellore.
- 4.The Superintendent of Police,
Vellore District, Vellore.

+1cc to Mr.D.Nagarajan, Advocate SR.77922

+1cc to the Government Pleader SR.78121

WP.No.30421 of 2017

SPD(CO)
CB(07/11/2019)

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