

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

WP.NO.28781 OF 2019

Kanyakumari District Class -I,
Contractors Association, rep.by its
Secretary, S.P.S.Office Building
Mulavilari, Veeyannoor Post
Kanyakumari District 628177. ... Petitioner

Versus

1. The Principal Secretary to Government Industries Department, Government of Tamil Nadu, Secretariat, Chennai - 9.
2. The Director of Geology and Mining Thiru Vi Ka Industrial Estate Guindy, Chennai 600 032.
3. The Assistant Director of Mines Collectorate Campus, Nagercoil Kanyakumari District.
4. The Assistant Director of Mines Collectorate, Tirunelveli Tirunelveli District.
5. The District Collector Nagercoil, Kanyakumari District.
6. The District Collector Tirunelveli, Tirunelveli District.
7. The Regional Transport Officer Marthandam at Kolpoourvilal Mulakumoodu Post, Kanyakumari District. .. Respondents

Prayer:-

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 to consider petitioner's representation dated 12.07.2019 and pass orders within the stipulated time.

For Petitioner : Mr.P.Selvaraj

For Respondents: Mr.R.Udhayakumar, AGP

ORDER

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

- (1) By consent, writ petition is taken up for final disposal.
- (2) The writ petition, styled as a Public Interest litigation, is filed by the Kanyakumari District Class-I Contractors Association and they expressed the grievance that the building materials/stones quarried,, though meant for local use, are illegally transported to neighbouring States with the connivance of the concerned officials and as a consequence, they are unable to get the materials for laying road etc., and the representation dated 12.07.2019, submitted by the petitioner Association, also failed to invoke any kind of response and hence, they came forward to file the present writ petition.
- (3) The learned counsel for the petitioner has drawn the attention of this Court to the communication of the Motor Vehicle Inspector, Grade I, Divisional Office, Valliyur, dated 11.07.2019, in Na.Ka.No.11516/A1/2019 and would submit that though it is stated in the said communication that Heavy Vehicles are subject to inspection, no action has been taken to abate the illegal transportation of the quarried materials and hence, prays for appropriate orders.
- (4) The Court heard the submissions of Mr.R.Udhayakumar, learned Additional Government Pleader, appearing for respondents and also perused the materials placed before it.
- (5) This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, either in the representation or in this writ petition, directs the 2nd respondent to consider the representation dated 12.07.2019 submitted by the petitioner on merits and in accordance with law, after putting the concerned person/s on notice and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision

taken, to the petitioner as well as to the person/s concerned.
(6)The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Principal Secretary to Government Industries Department, Government of Tamil Nadu, Secretariat, Chennai - 9.
2. The Director of Geology and Mining Thiru Vi Ka Industrial Estate Guindy, Chennai 600 032.
3. The Assistant Director of Mines Collectorate Campus, Nagercoil Kanyakumari District.
4. The Assistant Director of Mines Collectorate, Tirunelveli Tirunelveli District.
5. The District Collector Nagercoil, Kanyakumari District.
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7. The Regional Transport Officer Marthandam at Kolpoourvilal Mulakumoodu Post, Kanyakumari District.

+1cc to Mr.P.Selvaraj, Advocate, S.R.No.94974
+1cc to the Government Pleader, S.R.No. 95592

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SSD(CO)
CS/18/12/2019