

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18/07/2019

C O R A M

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.19458 of 2017

Thirumorthy

...Petitioner

Vs

1. The District Collector
Salem District.
2. The Revenue Development Officer
Mettur Taluk, Mettur
Salem District.
3. The Tahsildar
Mettur Taluk, Mettur
Salem District.
4. The Village Administrative Officer
Kannamochi Village
Chettiyur Post
Kolathur Villa, Mettur Taluk
Salem District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a Writ of mandamus to forbear the respondents from granting mining license in S.No.27/1, Kannamoochi Village, Mettur Taluk, Salem District by considering the representation of the petitioner, dated 20/6/2017.

For Petitioner ... Mr.M.Arun
for Mr.A.Sundaravadhanan

For Respondents... Mr.E.Manoharan
Additional Government Pleader

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O R D E R

(Order of the Court was made by S.MANIKUMAR, J)

Instant writ petition has been filed, to forbear the respondents, from granting mining license, in S.No.27/1, Kannamoochi Village, Mettur Taluk, Salem District, by considering the representation of the petitioner, dated 20/6/2017.

2. On 15/7/2019, we passed the following order:-

"Petitioner has sought for a writ of mandamus, forbearing the respondents, from granting mining license, in S.No.27/1, Kannamoochi Village, Mettur Taluk, Salem District, by considering the representation of the petitioner, dated 20/6/2017.

2. When the matter was taken up for hearing, there was no representation on behalf of the petitioner.

3. In December, 2017, the District Collector, Salem, in his counter affidavit has stated that representation of the writ petitioner, dated 20/6/2017, is under examination. Apart from the above, District Collector, Salem has also set out the details as to how mining permission has been granted.

4. Mr.E.Manoharan, learned Additional Government Pleader submitted that he would get details of the subsequent events.

5. Post on 17/7/2019, in the motion list."

3. Reverting, on the basis of the instructions, given by the Deputy Director (In-charge) Department of Geology and Mining, Salem, Mr.E.Manoharan, learned Additional Government Pleader submitted that only demarcation of the area has been done. Auction has been conducted, for leasing the land. As per the procedure, highest bidder has to submit an approved mining plan and environmental clearance. He further added that before issuing environmental clearance, State/District Appraisal Committee Members and State/District Environment Impact Authority members, have to consider all the environmental impacts likely to be caused due to the proposed quarrying. According to him, the subject matter is under consideration. It is also his contention that representation dated 20/6/2017 of the writ petitioner is yet to be answered.

4. Though the petitioner has sought for a larger prayer of a writ of mandamus, forbearing the respondents from mining license, in S.No.27/1, Kannamoochi Village, Mettur Taluk, Salem District, having regard to the submissions of the learned Additional Government Pleader, we are not inclined to issue any mandamus. However, deem it fit to direct the District

Collector, Salem, first respondent, to answer the representation of the petitioner, dated 20/6/2017, within a period of two weeks, from the date of receipt of a copy of this order.

5. With the above direction, writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The District Collector
Salem District.
2. The Revenue Development Officer
Mettur Taluk, Mettur
Salem District.
3. The Tahsildar
Mettur Taluk, Mettur
Salem District.
4. The Village Administrative Officer
Kannamochi Village
Chettiyur Post
Kolathur Villa, Mettur Taluk
Salem District.

+1cc to the Government Pleader, S.R.No.61333

MT(CO)

RRS (18/07/2019)

Writ Petition No.19458 of 2017

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