

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 3/6/2019

C O R A M

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

W.P.No.34167 of 2018
and
W.M.P.No.39704 of 2018

R. Ramesh

...Petitioner

Vs

1. The State
rep. By its Principal Secretary to Government
Public Works Department
Fort St. George
Chennai 600 009.
2. The Commissioner
Department of Geology and Mining
Thiru.Vi.Ka.Industrial Estate
Guindy
Chennai 600 032.
3. The Assistant Director of Mines and Geology
Vellore District
Vellore.
4. The Executive Engineer
Public Works department
WRD, Mining and Monitoring Division
Villupuram.
5. The Executive Engineer
PWD, WRD
Upper Palar Basin Division
Vellore.
6. The District Collector
Collectorate
Sathuvachari
Vellore.
7. The Revenue Divisional Officer
Gudiyattam
Vellore District.

8. The Tahsildar
Taluk Office
Pernampattu Taluk
Vellore District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a writ of mandamus directing the respondents to consider the Petitioner's representation dated 5/12/2018 and further direct the sixth respondent to cancel the permission given by him to the fifth respondent for mining the river sand for his violation of terms and condition in mining the river sand in a property situated in S.F.No.395 (P), to an extent of 5.76 hectare in Pattu Village Account, Pernampattu Taluk, Vellore District.

For Petitioner ... Mr.A.Gouthaman
No appearance

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

O R D E R

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

Instant public interest litigation has been filed for a writ of mandamus, directing the respondents, to consider the representation, dated 5/12/2018 and to further direct the District Collector,Collectorate, Sathuvachari, Vellore, sixth respondent, to cancel the permission given by him to the Executive Engineer, PWD, WRD, Upper Palar Basin Division, Vellore, fifth respondent, for mining river sand, for his violation of terms and condition, in mining the river sand, in a property situated in S.F.No.395 (P), to an extent of 5.76 hectare, in Pattu Village Account, Pernampattu Taluk, Vellore District.

2. Inviting the attention of this Court to the letter, dated 11/1/2019 of the Executive Officer, PWD/WRD, Villupuram, addressed to the District Collector, Vellore, Mr.E.Manoharan, learned Additional Government Pleader submitted that quarrying permitted has been completed and therefore, nothing survives in this writ petition.

3. Letter dated 11/1/2019 and other proceedings enclosed are reproduced hereunder:-

Lr.No.F.101/MCP/2019, dated 11/1/2019

Sir,

Sub: Submission - Pattu Mining Closure Plan -
Submitted - Reg.

Ref: 1. SEIAA/Lr/No.SEIAA/TN/F.No.6481/EC/1
(a)/3984/2018

dated 15/5/2017.

2.

District

Collector.Lr.No.Na.Ka.243/2016/Mines/
dated 27/7/2017

- - - - -

I submit here with the Mining Closure Plan for
Pattu Bullock Cart Sand Quarry Pernampet Taluk of
Vellore District for favour of further action.

* * * * *

GOVERNMENT OF TAMIL NADU
PUBLIC WORKS DEPARTMENT
MINING CLOSURE PLAN
PATTU SAND QUARRY

Certified that 46514 Cu.m out of 48600 cu.m of sand had
been quarried. Hence this sand quarry has been completely
closed at 5.00 p.m., on 9/1/2019. It is also certified that the
natural slope of river is maintained without any low level area
in the mined area.

* * * * *

MINING CLOSURE PLAN
PATTU SAND QUARRY

Name of Quarry/Village/taluk	Pattu Village Pernampet Taluk of Vellore District
Name of River	Palar
SEIAA Lr.No.	Lr.No.SEIAA/TNF.No.6481/EC/1 (a) 3984/2018 dated 15/5/2017
District Collector Lr.No.	District Collector, Vellore Lr.No.Na.Ka.243/2016/Mines dated 27/7/2017
Quantity Approved (Cu.m)	48600 Cu.m
Machinery	Nil
Manual	48600 Cu.m
Date of commencement	23/7/2018
Date of completion	9/1/2019
Total quantity sand quarried	46514 cu.m.

4.Placing on record the above, writ petition is disposed of.
No costs. Consequently, the connected Miscellaneous
Petition is closed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Principal Secretary to Government
Public Works Department, Fort St. George, Chennai 600 009.
2. The Commissioner
Department of Geology and Mining
Thiru.Vi.Ka.Industrial Estate., Guindy, Chennai 600 032.
3. The Assistant Director of Mines and Geology
Vellore District, Vellore.
4. The Executive Engineer
Public Works Department , WRD, Mining and Monitoring
Division
Villupuram.
5. The Executive Engineer
PWD, WRD
Upper Palar Basin Division
Vellore.
6. The District Collector
Collectorate, Sathuvachari, Vellore.
7. The Revenue Divisional Officer
Gudiyattam, Vellore District.
8. The Tahsildar
Taluk Office, Pernampattu Taluk, Vellore District.

+1 CC to Mr.A.Gouthaman, Advocate sr 44579.

+1 CC to Govt. Pleader sr 44692

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KS(CO)
SP(06/06/2019)