



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.4662 of 2019

and

W.M.P (MD) .No.3717 of 2019

S.Baiju

... Petitioner

Vs

1.The Secretary to Government,
Mines and Minerals,
Secretariat, Chennai-9.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.The Assistant Director,
Nagercoil,
Kanyakumari District.

4.The Superintendent of Police,
Nagercoil, Kanyakumari District.

5.The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.

6.The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents herein and their in any way men from preventing the petitioner from transporting crusher dust, M-sand, gravel from Tamil Nadu to Kerala through Kaliyakkavilai check post at Kanyakumari District by considering the representation of the petitioner dated 07.02.2019 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side.
<https://hcservices.ecourts.gov.in/hcservices/>

2. The Hon'ble Division Bench has passed an interim order with



regard to the transportation of M-sand. Therefore, the authorities obviously are bound by the direction of the Hon'ble Division Bench.

3. The learned counsel appearing for the petitioner stated that there is no bar for transporting crusher dust. But then the petitioner will have to carry a valid permit to indicate that crusher dust was obtained from a permitted quarry. If the petitioner is having valid permit, the respondents would definitely not prevent the petitioner from transporting crusher dust. But this Court will not pass any omnibus orders. The respondents are always at liberty to check the vehicle and demand production of the documents. But if the petitioner is having a valid document, the respondents will not prevent the petitioner from transporting crusher dust.

4. With these observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

rmk

To

1. The Secretary to Government,
Mines and Minerals, Secretariat, Chennai-9.
2. The District Collector, Nagercoil, Kanyakumari District.
3. The Assistant Director, Nagercoil, Kanyakumari District.
4. The Superintendent of Police, Nagercoil, Kanyakumari District.
5. The Deputy Superintendent of Police,
Thuckalay, Kanyakumari District.
6. The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.

+1CC TO MR.S.C.HEROLD SINGH, Advocate Sr. No. 55442

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 55646

W.P. (MD) No. 4662 of 2019

20.03.2019

TR (10.04.2019) 2P 9C