

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Twentieth day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr Justice B.PUGALENDHI

WP(MD) No.4807 of 2019

S.A.MANIKANDAN

... PETITIONER

Vs

- 1.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
HOME DEPARTMENT, SECRETARIAT, CHENNAI.
- 2.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF REVENUE, SECRETARIAT, CHENNAI.
- 3.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF ENVIRONMENT AND FOREST,
SECRETARIAT, CHENNAI.
- 4.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF P.W.D, SECRETARIAT, CHENNAI.
- 5.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF HIGHWAYS, SECRETARIAT, CHENNAI.
- 6.THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
DEPARTMENT OF TRANSPORT, SECRETARIAT, CHENNAI.
- 7.THE CHAIRMAN,
TAMIL NADU MINERALS DEPARTMENT,
CHEPAK, CHENNAI.
- 8.THE COMMISSIONER,
DEPARTMENT OF MINES AND MINERALS,
GUINDY, CHENNAI.
- 9.THE DISTRICT COLLECTOR,
PUDUKKOTTAI DISTRICT.
- 10.THE ASSISTANT DIRECTOR OF MINES AND MINERALS,
PUDUKKOTTAI DISTRICT.

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus direct the respondents to ensure that illegal sand mining and transportation is curtailed by the installation of closed circuit television video with internet protocol in all major roads at reasonable distance.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioner and of Mr.A.K.BASKARA PANDIAN, Special Government Pleader on behalf of the Respondents, the court made the following order:-

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

This matter pertains to ban illegal quarrying of river sand on the ground that there is no proper or effective monitoring mechanism put in place to prevent occurrence or recurrence of such illegalities, which result in environmental degradation which is also beyond any redemption.

2. Counter affidavit of the fourth respondent dated 22.03.2019 is bereft of any material particulars.

3. It is also brought to the knowledge of this Court that the Ministry of Environment, Forest and Climate Change, Government of India, has also developed an Application more or like GPRS to monitor the quarrying operations as well as transportation of sand and also formulated "Sustainable Sand Mining Management Guidelines, 2016", which is also available in the website of the said Ministry, viz., www.moef.nic.in.

4. It prima facie appears that the official respondents are not even aware of such guidelines which are in public domain.

5. At this juncture, as usual, the learned Special Government Pleader appearing for the official respondents prays for some more accommodation to come out with a comprehensive status report as to the effective monitoring and preventing mechanism put in place/ being put in place to prevent the recurrence of such illegal sand mining/quarrying and transportation.

6. Call on **27.08.2019**.

sd/-
20/08/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE PRINCIPAL SECRETARY TO GOVERNMENT OF TAMIL NADU,
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10. THE ASSISTANT DIRECTOR OF MINES AND MINERALS,
PUDUKKOTTAI DISTRICT.

+1. C.C. To SPECIAL GOVERNMENT PLEADER SR.No.13854

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ORDER

IN

WP (MD) No.4807 of 2019

Date : 20/08/2019

rsb

TK/VR/SAR.2/22.08.2019/3P/12C