



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16212 of 2019

R.Vaithilingam ... Petitioner
Vs.

- 1.The District Collector,
Pudukottai District.
 - 2.The Revenue Divisional Officer,
Revenue Department,
Pudukottai District.
 - 3.The Tahsildar,
Karambakudi,
Pudukottai District.
 - 4.The Superintendent of Police,
O/o. Superintendent of Police,
Pudukottai District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to take necessary action against the illegal act of sand smuggling persons and save the underground water for the public welfare especially for children and senior citizen who are much affected by the water drought by considering the petitioner's representation dated 07.06.2019 within a stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.K.Kevinkaran

For Respondents 1 to 4 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

By consent, this Writ Petition is taken and disposed of by this order.

2.The petitioner claims to be a public interest litigant. In the affidavit filed in support of the writ petition, it is stated, among other things, that the petitioner is a retired Superintendent of Prison and it is his specific case that rampant illegal quarry/theft of sand is taking place in Agni River as well as in



adjacent patta lands upto the bottom by using heavy machineries. The complaint given to the first respondent on 29.04.2019 with copies to the other officials failed to evoke any kind of response and hence, he came forward to file this Habeas Corpus Petition.

3.Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 3.

4.Though the petitioner prays for a larger relief, this Court, without going into the merits of the case projected either in the affidavit filed in support of the Writ Petition or in the representation, directs the first respondent to consider the representations of the petitioner dated 29.04.2019 and 07.06.2019 and take appropriate action on merits and in accordance with law and in the process, if required, shall avail the services of Taluk and District Level Task Forces and if further required, shall cause surprise inspection also and pass appropriate orders within a period of 6 weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5.The Writ Petition is disposed of with the above directions. No costs. Call on 03.09.2019 for filing affidavit of compliance/action taken report with supporting documents by the first respondent. Registry is directed to mark a copy of this order of the Principal Secretary, Public Works Department, Government of Tamil Nadu, Secretariat, Chennai - 9.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Principal Secretary to
Government of Tamil Nadu,
Public Works Department,
Secretariat,
Chennai - 9.
- 2.The District Collector,
Pudukottai District.
- 3.The Revenue Divisional Officer,
Revenue Department,
Pudukottai District.
- 4.The Tahsildar,
Karambakudi,
Pudukottai District.



5. The Superintendent of Police,
O/o. Superintendent of Police,
Pudukottai District.

+1 CC to M/s.K.KEVIN KARAN, Advocate (SR-76551[F] dated
22/07/2019)

+1 CC to M/s.SPL GP (SR-76951[F] dated 23/07/2019)

W.P (MD) No.16212 of 2019
22.07.2019

sj
JM/10.04.2019/3P-8C