

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

Monday, the Twenty Ninth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Dr.Justice ANITA SUMANTH

WP (MD) No.16732 of 2019

AND

WMP (MD) No.13337 of 2019

P.MANICKAM

... PETITIONER

Vs

- 1 THE DISTRICT COLLECTOR,
COLLECTORATE,
KARUR DISTRICT.
- 2 THE DISTRICT REVENUE OFFICER,
ARAVAKURUCHI,
KARUR DISTRICT.
- 3 THE ASSISTANT DIRECTOR,
DEPARTMENT OF GEOLOGY AND MINES,
THANTHONRIMALAI,
KARUR DISTRICT.
- 4 THE TAHSILDAR,
ARAVAKURUCHI TALUK,
KARUR DISTRICT.
- 5 DEVARAJ
- 6 SARASWATHI

... 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, Directing the respondents 1 to 4 herein to initiate legal action against the fifth and sixth respondent in the manner known to law and to forbear the fifth and sixth respondent from quarrying of Minor Minerals (rough stone) at S.No.104/2A, 104/1, 105/1A & 105/2, Kuppam Village, Aravakurichi Taluk, Karur District within the time frame fixed by this Hon'ble Court.

Prayer in WMP(MD).13337/2019 :

To grant an order of interim injunction restraining the fifth and sixth respondents from quarrying of Minor Minerals (rough stone) at S.No.104/2A, 104/1, 105/1A and 105/2 Kuppam Village, Aravakurichi Taluk, Karur District pending disposal of the above WP and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.NIRESH KUMAR, Advocate for the petitioner and of Mrs.J.PADMAVATHY DEVI, Special Government Pleader on behalf of the Respondents 1 to 4, the court made the following order:-

Mrs.J.Padmavathy Devi, learned Special Government Pleader accepts notice on behalf of R1 to R4.

2.Notice both through Court as well as privately on R5 & R6 returnable 27.08.2019.

3.Let counter be filed in the meanwhile along with status report of the alleged activity of quarrying.

4.In the light of Rule 36(1-A)(c) of the Tamil Nadu Minor Mineral Concession Rules, 1959, which prescribes a distance of 300 meters from an inhabited site for quarrying, there shall be an order of interim stay till the next date of hearing.

5.List on **29.08.2019.**

sd/-
29/07/2019

/ TRUE COPY /

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

TO

- 1 THE DISTRICT COLLECTOR,
COLLECTORATE, KARUR DISTRICT.
- 2 THE DISTRICT REVENUE OFFICER,
ARAVAKURUCHI, KARUR DISTRICT.
- 3 THE ASSISTANT DIRECTOR,
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THANTHONRIMALAI, KARUR DISTRICT.
- 4 THE TAHSILDAR,
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+1. C.C. to M/S.R.NIRESH KUMAR Advocate SR.No.12510

ORDER
IN
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Date :29/07/2019