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BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 01.08.2019

CORAM

**THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND**

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 17035 OF 2019

R.Balathandayutham

.. Petitioner

- Vs -

1. The District Collector
Thanjavur District, Thanjavur.
 2. The Superintendent of Police
Thanjavur District, Thanjavur.
 3. The Assistant Director
Department of Geology & Mining
Collectorate Campus, Thanjavur.
 4. The Revenue Divisional Officer
Pattukottai, Thanjavur District.
 5. The Tahsildar
Peravurani Taluk, Thanjavur District.
 6. The Inspector of Police
Sethubavachatram Police Station
Thanjavur District.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to take appropriate action restraining anti-social elements from illegal mining activities at Ambuli Kattaru river at Oomathanadu, Pethanachivayal, Vilankulam and

W.P.No.17035/2019



Aladikadu at Peravurani Taluk, Thanjavur District on the basis of the petitioner's representation dated 9.5.2019.

For Petitioner : Mr. B.Anandan
For Respondents : Mr. A.K.Baskarapandian, Spl. G.P.

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ORDER

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

The writ petitioner is an ex-serviceman and came forward to file this writ petition, styled as a public interest litigation, stating among other things that he is a resident of Peravurani, Thanjavur District and nearby to his place, Ambuli Kattaru river is located between the villages, viz., Oomathanadu, Pethanachivayal, Vilankulam and Aladikadu being a small tributary, only when the water flows in the river Cauvery, water flows in these rivers and due to lack of flow of water, it has become dry and taking advantage of the same, rampant illegal quarrying is going on with the help and connivance of sand mafias.

2. Learned counsel appearing for the petitioner has also pointed out the said illegal acts, which also appeared as a news item in a news daily and the petitioner has also submitted a representation dated 9.5.19 to all the official respondents to take appropriate action and despite receipt and acknowledge of the said representation on 13.5.19, no action has been taken for the past three months and left with no other option only, he is constrained to approach this Court by filing this petition.

3. Heard the learned counsel appearing for the petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice on behalf of respondents 1 to 6.

4. This Court, taking into consideration the above facts and circumstances, directs respondents 3 and 5 to cause inspection of the said area in question, by way of surprise inspection also, and find out whether any illegal quarrying is going on and depending upon the result of the said inspection, shall take immediate and appropriate action in accordance with law to arrest the alleged illegality/nuisance and the said exercise shall be carried out within eight weeks from the date of receipt of a copy of this order. The decision taken in that regard shall also be informed to the petitioner by respondents 3 and 5.

5. This writ petition is disposed of accordingly.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The District Collector
Thanjavur District, Thanjavur.
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Thanjavur District, Thanjavur.
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Thanjavur District.

+1 CC to Mr.B.ANANDAN, Advocate (SR-79054[F] dated 01/08/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-79472[F] dated 02/08/2019)

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01.08.2019

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