



BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT

DATE : 06.08.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) NO. 17273 OF 2019

AND

W.M.P. (MD) NOS. 13779 & 13780 OF 2019

V.Maharajan

.. Petitioner

- Vs -

1. The District Collector
Thoothukudi District.
2. The Additional Director
Mines & Minerals
Thoothukudi District.
3. The Tahsildar
Srivaigundam Taluk
Thoothukudi District.
4. The Superintendent of Police
Thoothukudi District.
5. The Inspector of Police
Murappanadu Police Station
Thoothukudi District.
6. The Assistant Executive Engineer
Public Works Department
Thoothukudi District.
7. The Village Administrative Officer
Murappanadu Village
Srivaigundam Taluk
Thoothukudi District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 3rd respondent herein to cancel the license granted for carrying on the quarry operations in Kuttaiyakulam, Murappanadu Village, Srivaigundam Taluk, Thoothukudi District, for any purpose on the basis of the petitioner's representations dated 24.7.2019.

For Petitioner : Mr. B.Santhanam Rajeshkumar

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

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

The petitioner, who claims to be a public interest litigant and also a practising advocate, came forward to file this petition, styled as a public interest litigation, alleging that in Kuttaiyakulam Kanmoi (water body), which is situated in Murappanadu Village, Srivaigundam Taluk, Thoothukudi District, permission was granted to agriculturists to quarry savudu soil and under the garb of taking the same, heavy machineries are used and the soil taken is sold for commercial purposes and despite the said fact being brought to the knowledge of the official respondents herein in the form of representation dated 24.7.19, no action has been taken and, therefore, the petitioner came forward to file this writ petition.

2. Learned counsel appearing for the petitioner submits that private persons are indulging in illegal extraction of savudu soil and the quarried soil is also commercially exploited by selling it for a huge price and despite the said illegality being brought to the knowledge of the official respondents, no action whatsoever has been taken and, therefore, the petitioner is constrained to approach this Court.

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 8.

4. This Court, taking into consideration the above facts and without going into the merits of the claim made either in the representation or in the writ petition, directs the Assistant Director, Mining & Geology, Tuticorin District, along with respondents 4 and 7, to cause inspection of the alleged quarrying operations going on in Kuttaiyakulam Kanmoi, Murappanadu Village, Srivaigundam Taluk, Thoothukudi District and find out whether any illegal (or) unauthorised quarrying operations are a taking place and if so, shall take appropriate action in accordance with law and the said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order and the decision taken shall be informed to the petitioner as well as to the persons concerned.

5. This writ petition is disposed of accordingly. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)



To

1. The District Collector
Thoothukudi District.
2. The Assistant Director
Mines & Minerals
Thoothukudi District.
3. The Tahsildar
Srivaigundam Taluk
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Murappanadu Village
Srivaigundam Taluk
Thoothukudi District.

+1 CC to Mr.B.SANTHANAM RAJESH KUMAR, Advocate SR-79872.

+1 CC to SPL GP SR-80776.

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