



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.18708 of 2019
and W.M.P. (MD) No.15076 of 2019

P.Sethu

... Petitioner

-vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Assistant Director of Geology and Mining,
Sivagangai District.
Sivagangai.

3.The Thasildar,
Thirupathur Taluk,
Sivagangai District.

4.P.Rajeshkanna
5.Anthonisamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 3 to stop the illegal quarrying at V.Malampatti Village, Thirupathur Taluk, Sivagangai District and consequently direct the Respondents 1 to 3 to take appropriate action against the 4th and 5th Respondents for the illegal quarrying carry out by them.

For Petitioner : Mr.M.Karthikeya
Venkitachalapathy

For Respondents 1 to 3 : Mr.A.K.Baskarapandian
Special Government Pleader

For Respondents 4 and 5 : Mr.J.Anandkumar



O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.M.Karthikeya Venkitachalapathy, learned counsel appearing for the petitioner, Mr.A.K.Baskarapandian, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.J.Anandkumar, learned counsel appearing for the respondents 4 and 5.

2.By consent on either side, this Writ Petition itself is taken up for final disposal.

3.The petitioner has filed this Writ Petition voicing the grievance of the people of V.Malampatti regarding the indiscriminate quarrying by the private respondents. One more allegation of the petitioner is that the water channel has been blocked and the same has been formed into a road.

4.The photographs produced would show that the quarry is in existence for several years. Considering the fact that several representations have been made by the petitioner and the same evoke no response, we direct the first respondent District Collector to nominate a competent Officer to accompany the second respondent to conduct a surprise inspection of the area and to submit a report and the first respondent on receipt of the report, issue notice to the respondents 4 and 5 and proceed further in accordance with law. We make it clear that the above direction shall be complied with within 12 weeks from the date of receipt of a copy of this order.

5.The Writ Petition stands disposed of with the above direction. Consequently, connected Writ Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

1.The District Collector,
Sivagangai District,
Sivagangai.



2.The Assistant Director of Geology and Mining,
Sivagangai District.
Sivagangai.

3.The Thasildar,
Thirupathur Taluk,
Sivagangai District.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-93739[F] dated 22/10/2019)

+1 CC to M/s.GP (SR-94077[F] dated 23/10/2019)

W.P. (MD) No.18708 of 2019
and W.M.P. (MD) No.15076 of 2019
22.10.2019

VB(05.11.2019) 3P : 6C