



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.09.2019**

CORAM:

**THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mrs.JUSTICE R.THARANI**

W.P.(MD).No.20216 of 2019

and

W.M.P.(MD).No.16775 of 2019

K.Ragupathy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sattur Revenue Division,
Virudhunagar District.

3.The Assistant Director of Mines and Geology,
Collectorate Office,
Virudhunagar District.

4.The Tahsildar,
Sattur Taluk,
Virudhunagar District.

5.Chellaiah @ Mariyappan

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to perform statutory duty and obligation to take immediate action and put end to the indiscriminate, excessive and haphazardly sand mining in the patta lands in Survey No.79/2, 79/4 and 9/3 at Sindhuvarpatti Village, Sattur Taluk, Virudhunagar District and to ensure the protection of the said water resources by strictly implementing G.O.(Ms).No.135, Industries (MMA.1) Department dated 13.11.2009 and based on the petitioners representation dated 17.06.2019.

For Petitioner : Mr.G.Thalaimutharasu

For R1 to R4 : Mr.S.Angappan



Government Advocate

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

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Heard Mr.G.Thalaimutharasu, learned counsel appearing for the petitioner and Mr.S.Angappan, learned Government Advocate appearing for the respondent Nos.1 to 4.

2.By consent on either side, this writ petition is taken up for disposal.

3.The petitioner by this writ petition seeks for a direction to direct the respondents 1 to 4 to perform statutory duty and to take immediate action and put an end to the indiscriminate, excessive and haphazardly sand mining in the patta lands in Survey No.79/2, 79/4 and 9/3 at Sindhuvarpatti Village, Sattur Taluk, Virudhunagar District, and to ensure the protection of the said water resources by strictly implementing G.O.(Ms).No.135, Industries (MMA.1) Department dated 13.11.2009 and based on the petitioners representation dated 17.06.2019.

4.The learned Government Advocate submitted that permission was granted from 28.05.2019 to 26.06.2019 for quarrying sand by the fifth respondent from his patta land.

5.In the light of the fact that the Hon'ble Division Bench has passed a comprehensive order not to grant any such permission for quarrying sand, we direct the respondent Nos.1 to 4 to ensure that no permission is granted to the fifth respondent and simultaneously direct the third respondent to inspect the area and ascertain as to whether the fifth respondent had effected quarrying in accordance with the permission granted or there is any excess or illegal quarry, if it is found that there is illegal quarrying immediate action should be taken under the provision of the Tamil Nadu Minor Mineral Concession Rules 1959, and also criminal action be initiated against the fifth respondent, after following due process of law.

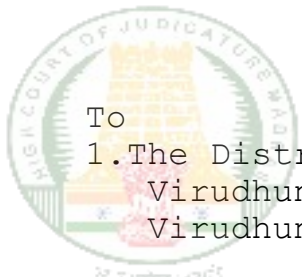
6.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar



To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Sattur Revenue Division,
Virudhunagar District.

3.The Assistant Director of Mines and Geology,
Collectorate Office,
Virudhunagar District.

4.The Tahsildar,
Sattur Taluk,
Virudhunagar District.

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-88062[F] dated
20/09/2019)

+1 CC to M/s.SPL GP (SR-88317[F] dated 20/09/2019)

W.P. (MD) .No.20216 of 2019

and

W.M.P. (MD) .No.16775 of 2019

19.09.2019

JM/14.10.2019/3P/7C