



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM:

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

W.P. (MD) No.24470 of 2018
and W.M.P. (MD) Nos.22182 of 2018 and 4768 of 2019

Madurai Sugar Mill Sugar Cane Producers Sangam,
Pallapatti Post,
Nilakottai Taluk,
Dindigul District rep. by its
Manikandan, Treasurer

... Petitioner

-vs-

1.The District Collector,
Dindigul District.

2.The Superintendent of Police,
Dindigul District.

3.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

4.The Deputy Superintendent of Police,
Nilakottai Circle,
Dindigul District.

5.K.Nallathambi

6.K.Govindaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to take effective and appropriate action to stop all illegal sand quarry operations in and around Vaigai River bed and other rivers situated in Dindigul District and thus prevent the illegal transportation of sand from the rivers and further 1st and 2nd to take appropriate action against the Revenue officials and police officials who are abetting the commission of crime of sand smuggling as per G.O.Ms.62 Home Prohibition and Excise (XVII) Department dated 01.10.2018.



For Petitioner : Mr.R.Suresh Kumar
For Respondents 1 to 4 : Mr.S.Angappan
Government Advocate
For 5th Respondent : Mr.M.Jerin Mathew

O R D E R

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

Heard Mr.R.Suresh Kumar, learned counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate appearing for the respondents 1 to 4 and Mr.M.Jerin Mathew, learned counsel appearing for the 5th respondent.

2.The petitioner has filed this Writ Petition, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to take effective and appropriate action to stop all illegal sand quarry operations in and around Vaigai River bed and other rivers situated in Dindigul District and thus prevent the illegal transportation of sand from the rivers and further to direct respondents 1 and 2 to take appropriate action against the Revenue officials and Police officials who are abetting the commission of crime of sand smuggling as per G.O.Ms.62 Home Prohibition and Excise (XVII) Department dated 01.10.2018.

3.Initially an order of interim injunction was granted and subsequently, by order dated 20.08.2019, after going through the relevant documents and the status reports, this Court suspended the interim injunction and directed the official respondents to file a status. Accordingly, the fourth respondent has filed a status report, wherein in paragraph No.3 it is stated as follows:

"3.It is respectfully submitted that a periodical inspections and surprise visits are carried out by the police officials and the 3rd respondent has given necessary direction to the 5th respondent and Inspector of Police to ensure that no illegal quarry is operated. Moreover, check post was laid and inspections were carried out by the police authorities in order to ensure that no illegal transportation of sand is being done. Therefore, necessary and appropriate actions are being taken by the police officials and 24 x 7 the police authorities are taking action to ensure that there is no illegal quarry and illegal transporting of sand. The Police Department by conducting surprise raids along river bed of Vaigai Rivers and other rivers of



Dindigul District make clear that there is no illegal quarrying and illicit transportation of sand rivers. Moreover, the 2nd and 5th respondents make surprise inspection over the river beds of Vaigai Rivers and other rivers of Dindigul District and provide appropriate instruction to the police authorities."

4.Recording the above statement, this Writ Petition stands disposed of. If there is any further violation, the petitioner is at liberty to approach the appropriate authorities. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

sj

To

1.The District Collector,
Dindigul District.

2.The Superintendent of Police,
Dindigul District.

3.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

4.The Deputy Superintendent of Police,
Nilakottai Circle,
Dindigul District.

+1 CC to M/s.GP (SR-89039[F] dated 24/09/2019)

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2019

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