

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.15290/2020 & WMP.No.19117/2020

R.Premshanthi

..Petitioner

Versus

1. The District Collector
O/o.The District Collector
Cuddalore District.
2. The Assistant Director
Geology & Mining
Cuddalore 608 001.
3. The Superintendent of Police
O/o.The Superintendent of Police
Cuddalore 608001.
4. Revenue Divisional Officer
O/o.Revenue Divisional Office,
Chitambaram, Cuddalore District 608102.
5. The Tahsildar
O/o.Thasildar Office
Kattumannarkoil
Cuddalore District 608 301.
6. The Project Director
Sand Quarrying Operations
Chepauk, Chennai 600 005.
7. The Member Secretary
O/o.State Level Impact Assessment Authority
3rd Floor, Panagal Building, Saidapet
Chennai 600 015.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner representation dated 25.09.2020.

For Petitioner : Mr.M.Arumugam
For RR 1, 3 to 6 : Mr.R.Vijayakumar, AGP
For RR 2 & 7 : Mr.E.Manoharan, Spl.GP

ORDER

- (1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2) Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents 1, 3 to 6 and Mr.E.Manoharan, learned Special Government Pleader accepts notice on behalf of respondents 2 and 7.
- (3) The petitioner claims to be a resident of Karuperi Village, Kunjamedu, Kattumannarkoil Taluk, Cuddalore District and according to her, her Village is situate right near the river bed of Colleroon and adjacent to the said river bed, there are very many hectares of agricultural lands which depend upon the water flowing through Colleroon Subterranean system. The petitioner expresses her grievance that the Government of India, Water Resources Department, Mining and Monitoring Division, Villupuram, has issued a Notification dated 08.09.2020, as to the commencement of quarrying operation in SF.No.44 [Part], admeasuring to an extent of 4.95.0 Hectares at Karuperi, Kattumannarkoil and Colleroon river bed and the quantity of sand proposed to be quarried is 49,500 Metric Tonne.
- (4) The primordial grievance expressed by the petitioner in her representation dated 26.09.2020 is that though the State Level Environmental Impact Assessment Authority had accorded clearance on 03.09.2020, most of the conditions have not been complied with by the concerned official respondents and under the garb of permitted sand quarry, day-in and day-out, operations are going on and no scientific mining is also being carried out which would ultimately result in disaster to the environment as well as to the livelihood of the agriculturists.
- (5) The learned counsel for the petitioner would submit that it would be suffice to direct the concerned official respondents to consider and dispose of the petitioner's representation dated 26.09.2020 on merits and in accordance with law within the stipulated time.
- (6) The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader appearing for respondents 1, 3 to 6 and Mr.E.Manoharan, learned Additional Government Pleader appearing for respondents 2 and 7 and perused the materials placed before it.
- (7) This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by her, either in her representation or in this writ petition, directs the respondents 1 to 3 and 7 to consider the representation of the

petitioner dated 26.09.2020 on merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

(8)The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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Cuddalore District.
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Cuddalore 608 001.
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Chennai 600 015.

+1cc to Mr.M.Arumugam, Advocate, S.R.No.35343

WP.No.15290/2020

SS(CO)
RV(30/11/2020)