

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 3.1.2020
CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.35966 of 2019

Arjunan Elayaraja

: Petitioner

Versus

1. The Secretary to Government
(Revenue),
State of Tamil Nadu,
Chennai 600 009.
2. The Secretary to Government (PWD)
State of Tamil Nadu, Chennai 600 009.
3. The Secretary to Government
(Agriculture),
State of Tamil Nadu, Chennai 600 009.
4. The Collector,
Cuddalore District,
Cuddalore 607 001.
5. The District Revenue Officer,
Cuddalore 607 001.
6. The Sub-Collector,
Cuddalore 607 001.
7. The Tahsildar,
Cuddalore Taluk,
Cuddalore 607 001.
8. The Secretary,
Government of India,
Ministry of Environment,
Forest & Climate Change,
CSI Division,
Indira Parayavaran Bhavan,
Vayu Wing, 5th Floor,
Ali Ganj Jor Bagh,
New Delhi 110 003.

: Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus forbearing the respondents from mining sand in any form along the beach between Thaikkalthonithurai and Pichavaram Villages in Cuddalore Taluk, Cuddalore District, including by digging any channel from Uppanar running parallel to the sea-coast.

For Petitioner : Mr.D.Baskar

For R1 to R7 : Mr.S.R.Rajagopal,
Additional Advocate General assisted by
Mrs.A.Srijayanthi,
Special Government Pleader

For R8 : Mr.K.B.Arul, ACGSC

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

The present PIL Writ Petition has been filed raising a grievance that the Government Authorities, to whom, a representation dated 12.1.2019 was made by the residents of Thiagavalli Village pointing out that Respondents were initiating a Scheme christined as "Aruvamokku Scheme" for constructing a wall across the Uppnar Water Body which is likely to adversely affect the Fishermen and Agriculturists of that area, have not considered the same.

2. Though the said representation was made on 12.1.2019, it does not seem to have been responded by the Respondents concerned and therefore, the present Writ Petition has been filed on 25.11.2019.

3. Having heard the learned counsel Mr.D.Baskar appearing for the Petitioner and the learned Additional Advocate General Mr.S.R.Rajagopal appearing for Respondents 1 to 7 and Mr.K.B.Arul, learned Central Government Standing Counsel appearing for Respondent No.8, we are of the opinion that instead of straightway starting to enquire into the matter, we feel it appropriate to direct the Petitioner to first approach the District Collector, Cuddalore, to whom the representation is made, who shall, after providing an opportunity to the residents of the Village concerned, pass appropriate order in the matter.

4. We give liberty to the Petitioner to again seek legal remedy in case any adverse order is passed by the District Collector, Cuddalore, after such liberty is given. With this observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

// True Copy//

Sub Assistant Registrar

ssk

To:

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New Delhi 110 003.

+1cc to Mr.D.Baskar, Advocate, SR.No.949.
+1cc to Government Pleader, SR.No.346.

W.P.No.35966 of 2019

SSI (CO)
CSR: 10.02.2020



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