



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P. (MD) No.13600 of 2020

and

W.M.P. (MD) No.11323 of 2020

WEB COPY

Sakthivel

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Assistant Director (Mines),
District Collector Office Building,
Thoothukudi.

3.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

4.The Tahsildar,
Sathankulam Taluk,
Sathankulam,
Thoothukudi District.

5.Franklin

6.Stanlin

7.Prakash

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 not to issue any license either to respondents 5 to 7 or anybody else for quarrying in the land in Survey Nos.37/2A1, 36/1, 37/3A, 37/2B1, 59/5A and 35/1 at Meerankulam Village, Sathankulam Taluk, Thoothukudi District without getting Environmental Clearance Certificate from the Ministry of Environment and Forest (MOEF) of the Central Government as directed by Hon'ble Supreme Court by its decision reported in 2012(4)SCC 629 by considering petitioner's representation dated 05.09.2020.

For Petitioner	: Mr.S.R.Anbarasu
For R1 to R4	: Mr.M.Rajarajan Additional Government Pleader
For R5 to R7	: Mr.Ajmal Khan, Senior Counsel, for Ajmal Associates



ORDER

(This petition was heard through video conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 not to issue any license either to respondents 5 to 7 or anybody else for quarrying in the land in Survey Nos.37/2A1, 36/1, 37/3A, 37/2B1, 59/5A and 35/1 at Meerankulam Village, Sathankulam Taluk, Thoothukudi District without getting Environmental Clearance Certificate from the Ministry of Environment and Forest (MOEF) of the Central Government as directed by Hon'ble Supreme Court by its decision reported in **2012(4)SCC 629** by considering petitioner representation dated 05.09.2020.

2.Mr.Ajmal Khan, learned Senior Counsel appearing for the respondents 5 to 7, on instructions, would submit that the respondents 5 to 7 will abide by the directions issued by the Hon'ble Supreme Court in a decision reported in **2012(4)SCC 629** and they will obtain quarrying license from the first respondent, only after obtaining Environmental Clearance Certificate from the Ministry of Environment and Forest (MOEF) of the Central Government.

3.In view of the submissions made by the learned Senior Counsel appearing on behalf of the respondents 5 to 7, the relief sought for by the petitioner in this writ petition has been fully achieved.

4.In view of the same, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Gns

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Assistant Director (Mines),
District Collector Office Building,
Thoothukudi.

3.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

4.The Tahsildar,
Sathankulam Taluk,
Sathankulam,
Thoothukudi District.

+1 CC to SPL GP (SR-22532[F] dated 23/11/2020)

W.P. (MD) No.13600 of 2020
20.11.2020

VB (02.12.2020) 3P 6C