

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.1359 of 2020

M.Subramaniyam

...Petitioner

Vs

1. Government of Tamilnadu,
Represented by its,
Principal Secretary to Government,
Revenue and Disaster Management Department,
Fort St. George, Secretariat, Chennai - 600009.
2. The Additional Chief Secretary/
Commissioner of Land Administration,
Land Administration Department,
Ezhilagam Buildings, Second Floor,
Kamarajar Salai, Chepauk, Chennai - 600005.
3. The Director,
Department of Geology and Mining,
Thiru V.Ka. Industrial Estate,
Guindy Chennai - 600 032.
4. The District Collector,
Tiruvallur District,
Collectorate, First Floor, Chinna Ekkadu,
Jaya Nagar, Master Plan Complex,
NH 205, Tiruttani Road, Tiruvallur - 602 001.
5. The Assistant Director,
Geology and Mining,
Office of District Collector,
Tiruvallur District, Tiruvallur - 602 001.
6. The Revenue Divisional Officer,
Tiruttani Division,
Chennai - Tiruppati Road, Tiruttani,
Tiruvallur District-631 209.
7. The Tahsildar,
Office of the Tiruttani Taluk,
Chennai - Tiruppati Road, Tiruttani,

Tiruvallur District - 631 209.

8. The Block Development Officer,
Office of Block Development,
SH-58, Kamarajar Nagar, Tiruttani,
Tiruvallur District-631 209.

9. E.Rajenderan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to consider the petitioner's representation dated 19.11.2019 within a stipulated time fixed by this Court.

For petitioner ... Mr.R.Anandha Babu

For respondents 1 to 8... Mr.Akhil Abkar Ali
Government Advocate
R9 - Refused

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents 1 to 8 to consider the petitioner's representation dated 19.11.2019 within a time frame to be fixed by the Court.

2. The petitioner in his representation dated 19.11.2019 to the respondents 1 to 8 has alleged that the respondent 9 has been carrying out illegal quarrying operations in S.Nos.124/8, 124/9 and other survey numbers at Murukkambattu village and post, Tiruthai Taluk, Tiruvallur District - 631209. In the said representation, he has requested the respondents 1 to 8 to take legal action against the ninth respondent for committing illegal quarrying operations. According to the petitioner, despite the said representation, the respondents 1 to 8 has not initiated any legal action against the ninth respondent. In such circumstances, this writ petition has been filed.

3. Heard Mr.R.Anandha Babu, learned counsel for the petitioner and Mr.Akhil Abkar Ali, learned Government Advocate for the respondents 1 to 8. Notice sent to the ninth respondent has been returned as refused, as seen from the causelist today. Since no adverse orders are going to be passed against the ninth respondent, notice to the ninth respondent is dispensed with by this Court.

4. The relief sought for in this writ petition is an innocuous one. Admittedly, the representation of the petitioner dated 19.11.2019 alleging that the ninth respondent who is a

neighbouring owner has been committing illegal quarrying operations in the property comprised in S.No.124/8, 124/9 and other survey numbers situated at Murukkambattu Village and Post, Tiruthani Taluk, Thiruvallur District - 631 209 has not been considered by the respondents 1 to 8. No prejudice will be caused to the respondents including the ninth respondent, if the petitioner's representation dated 19.11.2019 is considered on merits and in accordance with law after hearing all the necessary parties, including the petitioner as well as the ninth respondent.

5. For the foregoing reasons, this Court directs the respondents 3 and 5 to consider the petitioner's representation dated 19.11.2019 requesting the respondents to initiate legal action against the ninth respondent for committing illegal quarrying operations at Survey No.124/8, 124/9 and other survey number in Murukkambattu Village and Post, Tiruttani Taluk, Tiruvallur District - 631 209 and pass final orders on merits and in accordance with law after hearing all the necessary parties including the petitioner as well as the ninth respondent within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nl

To

1.ThePrincipal Secretary to Government,
Government of Tamilnadu,
Revenue and Disaster Management Department,
Fort St. George, Secretariat, Chennai - 600009.

2.The Additional Chief Secretary/
Commissioner of Land Administration,
Land Administration Department,
Ezhilagam Buildings, Second Floor,
Kamarajar Salai, Chepauk, Chennai - 600005.

3.The Director,
Department of Geology and Mining,
Thiru V.Ka. Industrial Estate,
Guindy Chennai - 600 032.

4.The District Collector,
Tiruvallur District,
Collectorate, First Floor, Chinna Ekkadu,
Jaya Nagar, Master Plan Complex,
NH 205, Tiruttani Road, Tiruvallur - 602 001.

5.The Assistant Director,
Geology and Mining,
Office of District Collector,
Tiruvallur District, Tiruvallur - 602 001.

6.The Revenue Divisional Officer,
Tiruttani Division,
Chennai - Tiruppati Road, Tiruttani,
Tiruvallur District-631 209.

7.The Tahsildar,
Office of the Tiruttani Taluk,
Chennai - Tiruppati Road, Tiruttani,
Tiruvallur District - 631 209.

8.The Block Development Officer,
Office of Block Development,
SH-58, Kamarajar Nagar, Tiruttani,
Tiruvallur District-631 209.

+1 cc to the Government Pleader, Sr.no.4587

W.P. No.1359 of 2020

RSI (CO)
RMP (16/02/2021)

सत्यमेव जयते

WEB COPY