

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12595 of 2020

U.Udayashankar ... Petitioner

Vs.

1. Government of Tamil Nadu
rep. by its Secretary
Public Works Department
Fort St. George
Chennai 600 009.
2. The District Collector
Thiruvallur District
Thiruvallur.
3. The Executive Engineer
Public Works Department
Araniyar Vadinila Kottam
Chepauk
Chennai 600 005.
4. The Tahsildar
Gummidipoondi
Thiruvallur District.

5. K.Gowrishankar ... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records relating to the order passed by the second respondent in Na.Ka.No.99/2015/Mining-2 dated 27.06.2020 and quash the same.

For Petitioner : Mr.S.Parthasarathy

For Respondents : Ms.R.J.Radhika
Government Advocate
for respondents 1 to 4

Mr.K.R.Krishnan
for respondent-5

ORDER
(Made by the Hon'ble Chief Justice)

The matter pertains to the permission granted by the State to one of the respondents to remove minor minerals from a river-bed.

2. The matter involves a degree of expertise that Courts are perceived not to possess and National Green Tribunals have been constituted for such purpose with members having expertise in such matters.

3. Since the principal grievance of the petitioner is the adverse impact of the environmental degradation as a result of indiscriminate mining of minor minerals from a river-bed, it may be more appropriate for the petitioner to approach the expert body instead of approaching the Writ Court.

4. W.P.No.12595 of 2020 is disposed of by permitting the petitioner to carry the grievance to the appropriate NGT. It is recorded that the merits of the matter have not been gone into. There will be no order as to costs. Consequently, WMP Nos.15533 and 15534 of 2020 are closed.

Sd/-

Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

kpl

To

1. The Secretary
Government of Tamil Nadu
Public Works Department
Fort St. George
Chennai 600 009.

2. The District Collector
Thiruvallur District
Thiruvallur.

3. The Executive Engineer
Public Works Department
Araniyar Vadinila Kottam
Chepauk
Chennai 600 005.

4. The Tahsildar
Gummidipoondi
Thiruvallur District.

+1cc to Mr.S.Parthasarathy, Advocate SR.No.24430

+1cc to Mr.K.R.Krishnan, Advocate SR.No.24151

+1cc to Government Pleader SR.No.24033

W.P.No.12595 of 2020

PL(CO)
GMY(30/04/2021)

सत्यमेव जयते

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