

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15638 of 2021

Mariam Beevi

...Petitioner

Vs

1. The District Collector,
District Collectorate.
Chengalpat District
Chennai - 630 102
2. The Assistant Director,
Department of Mines and Geology,
Chengalpattu District
Chennai - 630 102
3. The Revenue Divisional Officer,
Chengalpattu Revenue Division,
Chengalpattu District
Chennai - 630 102
4. The Tahsildar,
Thirukazhukundram Taluk,
Chengalpattu District
Chennai - 630 102

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st and 2nd respondent to process the petitioner's application dated 16.02.2020 and to grant the license and permission for quarrying ordinary sand from the patta land comprised in Survey No.326/3, situated at No.82, Ayapakkam Village, Thirukazhukundram Taluk, Chengalpat District.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr. Stalin Abhimanyu (R1-R4)
Government Advocate

ORDER

Heard both sides and perused the materials placed before this court.

2.The relief sought in this writ petition is to issue a mandamus, directing the first and second respondents to process the petitioner's application dated 16.02.2020 with respect to grant of license and permission for quarrying ordinary sand from the patta land comprised in Survey No.326/3, situated at No.82, Ayapakkam Village, Thirukazhukundram Taluk, Chengalpat District.

3.Today, when the matter was taken up for hearing, the learned Government counsel appearing for the respondents drew the attention of this court to the counter affidavit filed by the respondents, wherein, it is stated that the subject area was inspected by the Deputy Director, Geology and Mining on 15.02.2021 and reported that the Pallar river basin is located in the adjacent S.F.No.327; as per G.O.Ms.No.95, Industries (MMC.I) Department, dated 01.10.2003 the quarrying of sand will be undertaken only by the Government viz., the Public Works Department; and hence, the request of the petitioner was rejected by the Deputy Director / Assistant Director (i/c), Geology and Mining, Chengalpattu, vide Rc.No.13135/Mines/2021, dated 15.02.2021, which was also acknowledged by the petitioner on 26.02.2021.

4. Recording the above, this writ petition stands closed leaving it open to the petitioner to work out her remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

msr

To

1. The District Collector,
District Collectorate.
Chengalpat District
Chennai - 630102
2. The Assistant Director,
Department of Mines and Geology,
Chengalpattu District
Chennai - 630102
3. The Revenue Divisional Officer,
Chengalpattu Revenue Division,
Chengalpattu District
Chennai - 630102

4. The Tahsildar,
Thirukazhukundram Taluk,
Chengalpattu District
Chennai - 630102

+1cc to Mr.R.Bharath Kumar, Advocate, S.R.No.46741
+1cc to the Government Pleader, S.R.No.46527

W.P.No.15638 of 2021

VG-II[co]
NSK 28/10/2021