



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.No.17367 of 2020

K.A.Radha Krishnan

..Petitioner

Vs

- 1 The Secretary to Government
Department of Geology and Mining
Thiru.Vi.Ka.Industrial Estate
Guindy, Chennai-600 032.
- 2 The TamilNadu Pollution Control Board
Anna Salai, Guindy, Chennai
Rep by its Chairman
- 3 The District Collector
Coimbatore District, Coimbatore.
- 4 The Assistant Director of Mines
Office of District Collector, Coimbatore.
- 5 The Director
Mines Department
Office of District Collector, Coimbatore.
- 6 The Thasildar
Pollachi Taluk Office
Pollachi, Coimbatore.
- 7 State Level Environment Impact
Assessment Authority-Tamil Nadu
3rd Floor, Panagal Maaligai
No.1 Jeenis Road
Saidapet, Chennai - 15.
- 8 Yencees Blue Metals (P) Ltd
Rep by its Managing Director
K.T.Chentharama
495/2A Kanal Puthur
Puravipalayam Village, Pollachi Taluk
Coimbatore.



9 R.Rameshkumar
(R9 impleaded vide order dated 23.11.2021
made in WMP.No.24805 of 2021)

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus (1) directing the respondent Nos.1 to 7 to take all appropriate steps to stop and close down forthwith the entire illegal mining activities done by the 8th Respondent in violation of the conditions imposed in their respective land situated at Pollachi; and (2) to issue a direction to respondent Nos.1 to 7 to take all possible steps against the 8th Respondent under the provisions of the relevant statutes for damaging the environment by doing unauthorised and illegal mining operations.

For the Petitioner : Ms.Anitha Dominic

For the Respondents : Mr.C.Harsharaj
Addl Government Pleader
for respondents 1,3, 4, 5 & 6
: Ms.Shanmugavalli Sekar
Standing Counsel
for 2nd respondent
: Mr.V.Chandrasekaran
Senior Panel Counsel
for 7th respondent
: Mr.A.Ilaya Perumal
for 8th respondent
: Mr.N.Umapathi
for 9th respondent

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Heard learned counsel for the parties.

2. The petition in public interest was filed to issue a direction for appropriate steps to stop and close down the illegal mining activities by the eighth respondent.

3. Pursuant to the direction of this court, a counter has been filed by the third respondent - District Collector, Coimbatore.

4. It is stated that not only the mining activities are stopped, but the amount to be recovered has also been assessed,



followed by a notice. The process for recovery of the amount would be taken. In the meantime, the request of the eighth respondent to allow it to operate the mining has been declined. Challenging the same, the eighth respondent filed a writ petition and the same is pending before this court.

5. According to the petitioner, the present writ petition has become infructuous after the action is taken and accordingly, the writ petition be disposed of as infructuous. Learned counsel for the petitioner is also satisfied with the action taken by the official respondents against the illegal mining activities.

6. In view of the above and taking note of the action already taken by the official respondents against the illegal mining, nothing more remains, rather the writ petition has become infructuous and accordingly, disposed of. No costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To:

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6 The Thasildar
Pollachi Taluk Office
Pollachi, Coimbatore.

7 State Level Environment Impact
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Saidapet, Chennai - 15.

+1cc to M/s.Shanmugavalli Sekar, Advocate, S.R.No.62529

+1cc to M/s.A.Ilayaperumal, Advocate, S.R.No.62414

+1cc to Government Pleader, in SR.No.62660 [08/04/2022]

W.P.No.17367 of 2020

KSM(CO)
RGA(07/12/2021)