

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.18226 of 2020

Kakkan Selvakumar

... Petitioner

Vs.

1. The District Collector
Salem District
Salem.
2. The Deputy Director
Department of Geology and Mines
Collectorate Campus
Salem.
3. The District Revenue Officer
Collectorate Campus
Salem.
4. The Revenue Divisional Officer
Attur
Salem District.
5. The Tahsildar
Gangavalli Taluk
Salem District.
6. The Regional Transport Officer
Regional Transport Office
Attur, Salem District.

7. Babu

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 to 6 to take action against the seventh respondent who are taking soils from Sentharappatti lake situated at Sentharappatti Post, Gangavalli Taluk, Salem District based on the petitioner's representation dated 20.07.2020 and consequently, direct the respondents 1 to 6 to ensure that to protect the natural source of the soil in the Sentharappatti lake.

For Petitioner : Mr.M.Rajendiran

For Respondents 1-6 : Ms. R.J.Radhika
Government Advocate

ORDER

(Made by the Hon'ble Chief Justice)

The petitioner complains that his representation regarding illegal quarrying at Sentharappatti Lake in Sentharapatti Post, Gangavalli Taluk, Salem District, has not been considered by the second respondent.

2. Without going into the tenability of the complaint, W.P.No.18226 of 2020 is disposed of by directing respondents 1 to 6 to consider the representation of the petitioner and pass a speaking order in accordance with law, after affording a reasonable opportunity to the persons likely to be affected, including the seventh respondent.

3. In the event the writ petitioner is aggrieved thereby, the writ petitioner may pursue his remedies in accordance with law, otherwise than by way of a public interest litigation and upon establishing his locus standi.

W.P.No.18226 of 2020 is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector, Salem District, Salem.
2. The Deputy Director, Department of Geology and Mines
Collectorate Campus, Salem.
3. The District Revenue Officer, Collectorate Campus, Salem.
4. The Revenue Divisional Officer, Attur, Salem District.
5. The Tahsildar, Gangavalli Taluk, Salem District.
6. The Regional Transport Officer, Regional Transport Office
Attur, Salem District.

+1cc to Mr.M.Rajendiran, Advocete SR.NO.7356

+1cc to The Governmet Pleader SR.NO.7333

AKM/22.02.21/ 2P-9C/

W.P.No.18226 of 2020.
09.02.2021