



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.21695 OF 2019

AND

W.M.P.NO.20915 OF 2019

N.Thimmarayappan

...Petitioner

Vs

1. The Commissioner,
Department of Geology and Mining,
Alandhur Road, Guindy,
Chennai-600 032.
2. The District Collector,
Krishnagiri District,
Krishnagiri.
3. V.Nagaraja
4. S.V. Blue Metals,
Venkatesapuram Village,
Shoolagiri Taluk,
Krishnagiri District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd Respondent to order closure of the stone quarries in Survey Nos.136/8, 136/5 and 136/4 and other lands in Beggli Village, Venkatesapuram Post, Hosur Taluk, Krishnagiri District by considering the petitioner's representation dated 04.03.2019.

For petitioner : Mr.M.Selvam

For Respondents : Mr.B.Vijay,
Additional Government Pleader
for R1 & R2

: Mr.V.Sanjeevi for R3.



ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus directing the 2nd Respondent to order closure of the stone quarries in Survey Nos.136/8, 136/5 and 136/4 and other lands in Beggli Village, Venkatesapuram Post, Hosur Taluk, Krishnagiri District by considering the petitioner's representation dated 04.03.2019.

2. The case of the petitioner is that he is an agriculturist residing in his ancestral property in Survey Nos.256/3B and he has also constructed a house in the said property. While being so, the Respondents 3 & 4 are running quarries in survey No.136/8 and other lands and for the same, stones are broken with high explosives causing noise and air pollution which is affecting the livelihood of the petitioner and his family members. Therefore, the petitioner made a representation to the 2nd Respondent with regard to closure of stone quarries on 04.03.2019, however, till date, no action has been taken on the same. Hence, the present Writ Petition is filed seeking the above relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd Respondent to consider the petitioner's representation dated 04.03.2019 and pass orders on the same, within a particular time frame fixed by this Court.

4. The learned counsel for the Respondents submits that there are no stone quarries functioning in the petitioner's land bearing Survey No.256/3B or in any place near the vicinity of the petitioner's land. Hence, the claim of the petitioner for closure of the stone quarry is not sustainable and the present Writ Petition is liable to be dismissed.

5. Taking into consideration the submission that no stone quarry is functioning in the petitioner's land or anywhere near the place of the petitioner, the prayer sought for in the present cannot be granted. Therefore, this Writ Petition is closed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

NHS



To

1. The Commissioner,
Department of Geology and Mining,
Alandhur Road, Guindy,
Chennai-600 032.

2. The District Collector,
Krishnagiri District,
Krishnagiri.

+1cc to M/s.M.Selvam, Advocate, S.R.No.63648

W.P.NO.21695 of 2019
and
W.M.P.No.20915 of 2019

CP(CO)
RLP(30/12/2021)