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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2021

CORAM :

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

WP No.23368 of 2021

K.Rajagopal

.. Petitioner

Vs.

1. The District Collector
Office of The District Collector,
Tiruppur District.
2. The Assistant Director,
Mines & Minerals Department
Office of The District Collector,
Tiruppur District.
3. The District Revenue Officer
Office of The District Collector,
Tiruppur District.
4. The Revenue Divisional Officer,
Tiruppur, Tiruppur District.
5. The Tahsildar,
Palladam, Tiruppur District.
6. The Village Administrative Officer,
Panikkampatti Village, Palladam,
Tiruppur District.
7. The Panchayat President
Panikampatti Village, Palladam Taluk,
Tiruppur District.
8. Ponnusamy
9. P. Suresh

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records in Mu. Mu. No. 7570 / 2021 / E2 dated 12.8.2021 passed by the 3rd respondent and quash the same as illegal and



consequential direction to 1 to 7 respondents forbearing the 8th respondent by using high capacity explosives in controlled blasting manner in S.No.84, Pannikkanpatti Village, Palladam Taluk, Tiruppur District.

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For the Petitioner : Mr.S.Kumaresan

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1 to 6

ORDER

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

The petitioner seeks an order issued on August 12, 2021 by the third respondent District Revenue Officer, pertaining to the use of explosives for the purpose of digging a well, to be set aside.

2. Mr.Muthukumar, learned Government Pleader, submits that oral instructions have been received from the fifth respondent to the effect that the work has been stopped. It is also the submission on behalf of the official respondents that the permission of local authorities necessary for the process of digging a well was not taken and, as such, the order impugned dated August 12, 2021 may not be effective.

3. In view of the aforesaid submission, the order dated August 12, 2021 is quashed. All appropriate permissions should be taken before digging the well. The least use of explosives, if at all needed, should be resorted to for the purpose of digging the well.

4. WP No.23368 of 2021 is disposed of. There will be no order as to costs. WMP Nos.24646, 24648 and 24649 of 2021 are closed.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector
Tiruppur District.



2. The Assistant Director,
Mines & Minerals Department
Office of The District Collector,
Tiruppur District.

3. The District Revenue Officer
Office of The District Collector,
Tiruppur District.

4. The Revenue Divisional Officer,
Tiruppur, Tiruppur District.

5. The Tahsildar, Palladam, Tiruppur District.

6. The Village Administrative Officer,
Panikkampatti Village, Palladam,
Tiruppur District.

7. The Panchayat President
Panikampatti Village, Palladam Taluk,
Tiruppur District.

+1CC to Mr.S.Kumaresan, Advocate, Sr.No.57321

+1CC to the Government Pleader, Sr.No.57914

WP No.23368 of 2021

GJ(CO)
SB(17/11/2021)