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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.23744 of 2021

Krishnaveni

... Petitioner

Vs.

1. The District Collector,
Vellore District.
2. The Superintendent of Police,
Vellore District, Vellore.
3. The District Land Surveyor,
District Land Surveyor office,
Vellore.
4. The Assistant Director,
Department of Geology and Mining,
Vellore District, Vellore.
5. The Tahsildar,
Vellore Taluk,
Vellore District.
6. M.Pandurangan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus directing the respondent to permit the petitioner to continue the gravel quarry comprising in S.No.367/14 measuring 0.74.5 Hectare, S.No.367/15 measuring 0.73.0 hectare altogether with an extent of 1.47.5 hectare (Acre 3.64 cent) situated at Palamathi Village Vellore Taluk & District based on the petitioner's representation dated 25.08.2021.

For Petitioners : Mr.M.Rajendran

For Respondent : Mr.V.Baranidharan R1-R5
Government Advocate



O R D E R

Mr.V.Baranidharan, learned Government Advocate takes on behalf of respondents 1 to 5.

2. This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 25.08.2021.

3. The case of the petitioner is that the petitioner is owner of the property comprising in S.No.367/2014 measuring 0.74.5 Hectare, S.No.367/15 measuring 0.77.0 hectare altogether with an extent of 1.47.5 hectare situated at Palamathi Village Vellore Taluk & District in the name of the petitioner's son viz., Vijayakumar. The said Vijayakumar applied for gravel quarry license and the same issued by the competent authority vide Na.Ka.No.424/2014. On 18.02.2021 the said Vijayakumar died.

4. While the matter stood thus, the 5th respondent, who is the adjacent owner of the property, threatened the petitioner and claimed right over the property and the 5th respondent trespassed into the petitioner's property and attacked her. Further, the respondents have also restrained the petitioner to run a quarry. On 25.08.2021, the petitioner has lodged a complaint before the District Collector in this regard. Till date, no order was passed. Hence, the petitioner has filed the present writ petition before this Court seeking appropriate relief.

5. Learned counsel for the petitioner submitted that this Court may issue suitable direction to the respondents to consider the petitioner's representation within a stipulated time as fixed by this Court.

6. Learned Government Advocate submitted that on instructions, the respondents have not restrained the petitioner to conduct quarry business and she is entitled to carry on her business till the expiry of the license period. Hence, no further adjudication is necessary. This Court may close the writ petition.

7. Recording the above submission made by the learned



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Government Advocate, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rli

To

1. The District Collector,
Vellore District.
2. The Superintendent of Police,
Vellore District, Vellore.
3. The District Land Surveyor,
District Land Surveyor office,
Vellore.
4. The Assistant Director,
Department of Geology and Mining,
Vellore District, Vellore.
5. The Tahsildar,
Vellore Taluk,
Vellore District.

+1cc to M/s.M.Rajendiran, Advocate, S.R.No.57832

+1cc to the Government Pleader, S.R.No.58021

W.P.No.23744 of 2021

KSM(CO)
SU(17/12/2021)