



WEB COPY



W.P.No.25024 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.25024 of 2021 and

W.M.P. No.26575 of 2021

R.Raja Gopal

... Petitioner

VS

1.The Assistant Director,
Department of Geology and Mining,
Coimbatore,
Coimbatore District.

2.The District Collector,
Coimbatore,
Coimbatore District.

3.The Revenue Divisional Officer,
Annur Taluk,
Coimbatore District.

4.The Tahsildar,
Annur Taluk,
Coimbatore District.

5.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.5, Ramasamy Nagar,
Kavundampalayam,
Coimbatore-641 030.

... Respondents



W.P.No.25024 of 2021

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the respondents authorities to take immediate action and permanently close down the illegal mining operations of minerals, namely, Gravel, blue metal, white sand or any other minerals, carrying out in and around Annur and Mettupalayam Taluk in Coimbatore District by considering the representation dated 21.09.2021.

For Petitioner : Mr.S.Arun Prakash

For Respondents : Mr.P.Muthukumar,
Government Advocate

ORDER

[Order of this Court was delivered by T.RAJA, J.]

Mr.R.Rajagopal, claiming to be the resident of Otterpalayam Post, Odderpalayam, Coimbatore District, the petitioner herein, has come to this Court for issuance of writ of mandamus, seeking a direction to the respondents authorities to take immediate action and to permanently close down the illegal mining operations of minerals, namely, Gravel, blue metal, white sand or any other minerals, carrying out in and around Annur and Mettupalayam Taluk in Coimbatore District, on the basis of his representation dated 21.09.2021.



W.P.No.25024 of 2021

2.Learned counsel appearing for the petitioner submitted that the petitioner, before coming to this Court, has given a representation dated 21.09.2021 to the Assistant Director, the District Collector, the Revenue Divisional Officer, the Tahsildar and the District Environmental Engineer, Coimbatore District/the respondents herein with a request to take immediate action against the illegal mining and quarrying of red sand in and around the area of Annur Taluk, Coimbatore District. As there is no response from them, the petitioner has been advised to come to this Court.

3.Learned Government Advocate appearing for the respondents submitted that in respect of the alleged mining operation is concerned, till date, no complaint has been received by the respondents. If any complaint comes alleging illegal mining operations in the said area, immediate actions are being taken by the respondents.

4.The petition filed by the petitioner and also the representation dated 21.09.2021 sent to the respondents herein do not throw any minimum light as to how the petitioner has been put to grave prejudice. Paragraph No.2 of the petition says that he is a permanent resident of Odderpalayam Village, Annur Taluk, Coimbatore District and there are illegal quarrying operation



W.P.No.25024 of 2021

of red sand taking place in the said village. Ironically, to substantiate such an alleged illegal quarrying operation, neither he stated about the name of the Village nor stated the person who is indulged in such activities. Secondly, he has not arrayed any such person as party respondent. Without giving any such particulars, he has sought for a mandamus to direct the respondents to take action and close down the illegal operations in and around Annur and Mettupalayam Taluk in Coimbatore District. This type of affidavit clearly shows that the petitioner has come to this Court with oblique motive. Therefore, we are unable to find any merit in the writ petition and accordingly, it is dismissed. Consequently, W.M.P. No.26575 of 2021 is closed. No costs.

[T.R.,J.] [D.B.C.,J.]
26.11.2021

vga



W.P.No.25024 of 2021

WEB COPY

- To
- 1.The Assistant Director,
Department of Geology and Mining,
Coimbatore,
Coimbatore District.
 - 2.The District Collector,
Coimbatore,
Coimbatore District.
 - 3.The Revenue Divisional Officer,
Annur Taluk,
Coimbatore District.
 - 4.The Tahsildar,
Annur Taluk,
Coimbatore District.
 - 5.The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No.5, Ramasamy Nagar,
Kavundampalayam,
Coimbatore-641 030



WEB COPY



W.P.No.25024 of 2021

**T.RAJA,J.
and
D.BHARATHA CHAKRAVARTHY,J.**

Vga

W.P. No.25024 of 2021 and
W.M.P. No.26575 of 2021

26.11.2021