



1BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2021

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.7975 of 2021

and

W.M.P (MD)No.6089 of 2021

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S.Shenbagaraman

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Department of Geology and Mining,
Fort St. George,
Secretariat,
Chennai - 9.

2.The Director of Geology and Mining,
O/o.the Director of Geology and Mining,
Alandur Road, Guindy Industrial Estate,
Guindy,
Chennai - 32.

3.The Commissioner,
Department of Geology and Mining,
Thiru Vi. Ka. Industrial Estate,
Guindy,
Chennai - 32.

4.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.

5.The Assistant Director (Mines & Minerals)
Collectorate Campus,
Ramanathapuram District.

6.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Paramakudi Taluk,
Ramanathapuram District.

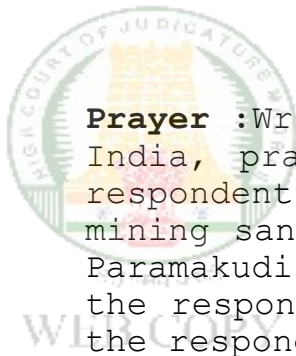
7.The Tashildar,
O/o.the Tashildar,
Paramakudi Taluk,
Ramathapuram District.

8.Mr.Neelamegam

9.Mrs.Gomathy

10.Mr.Parthiban

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 4 to 7 to forbear the respondents 8 to 10 from illegally mining sand in Survey No.26/9, in 45.50 ares in Vadavaneri village, Paramakudi Taluk, Ramanathapuram District and consequently directing the respondents 1 to 7 to initiate appropriate legal action against the respondents 8 to 10 within a stipulated time.

For Petitioner : Mr.T.Lajapathi Roy
For R-1 to R-7 : Mr.P.Thilak Kumar,
Standing Counsel

ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus directing the respondents 4 to 7, to forbear the respondents 8 to 10 from illegally mining sand in Survey No.26/9, in 45.50 ares in Vadavaneri village, Paramakudi Taluk, Ramanathapuram District and consequently directing the respondents 1 to 7, to initiate appropriate legal action against the respondents 8 to 10, within a stipulated time.

2. As directed by this Court, the fifth respondent has filed a status report stating that the fourth respondent granted permission to the applicant vide proceedings in Na.Ka.G.&M2/70/2020 dated 29.12.2020 for transporting earth in S.F.Nos.25/4 (0.32.0) and 25/5 (0.35.50) having an extent of 0.67.50 at Vadavaneri Village, Paramakudi Taluk in Ramanathapuram District for a period of seven days only to the Government work of Construction of Underground Sewerage Scheme to Rameshwaram Municipality and the fifth respondent had also given trip sheet to the applicant for the period from 26.02.2021 to 01.03.2021 with validity of four days. Further, on receipt of complaint, the fourth respondent had cancelled the permission on the very next day ie., on 27.02.201. The fifth respondent also visited the place and found that the applicant had started illegal quarrying in S.F.No.26/9. The sixth respondent also inspected the site and enquired the Village Administrative Officer, Vadavaneri Village and based on the report of the Village Administrative Officer, had initiated action against the defaulter and called for explanation.

3. Now, when the matter is taken up for hearing today, the learned Standing Counsel appearing for the respondents 1 to 7, would produce the order passed by the sixth respondent dated 02.07.2021 and a perusal of the same would disclose that the sixth respondent has passed orders imposing fine of Rs.17,70,040/- on the person, who operated illegal quarrying and therefore, nothing survives for further adjudication in this matter.

4. In view of the same, by recording the order of the sixth respondent - Revenue Divisional Officer, Paramakudi Taluk, Ramanathapuram District, dated 02.07.2021, this writ petition is



closed. No Costs.
Petition is closed.

Consequently, connected Miscellaneous

Sd/-

Assistant Registrar (CS III)

WEB COPY // True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Department of Geology and Mining,
Fort St. George, Secretariat, Chennai - 9.
- 2.The Director of Geology and Mining,
O/o.the Director of Geology and Mining,
Alandur Road, Guindy Industrial Estate,
Guindy, Chennai - 32.
- 3.The Commissioner,
Department of Geology and Mining,
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- 4.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.
- 5.The Assistant Director, (Mines & Minerals)
Collectorate Campus,
Ramanathapuram District.
- 6.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Paramakudi Taluk,
Ramanathapuram District.



7.The Tashildar,
O/o.the Tashildar,
Paramakudi Taluk,
Ramathapuram District.

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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-21272[F] dated
06/07/2021)

W.P (MD) No. 7975 of 2021
05.07.2021

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KK(09.07.2021) 4P 9C