



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2021

CORAM

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P. (MD)No.8458 of 2021

K.Rajasekaran

Petitioner

Vs.

1.The District Collector,  
Thanjavur District,  
Thanjavur.

2.The Assistant Director,  
Mines and Minerals Department,  
Thanjavur,  
Thanjavur District.

3.The Revenue Divisional Officer,  
O/o The Revenue Divisional Office,  
Kumbakonam,  
Thanjavur District.

Respondents

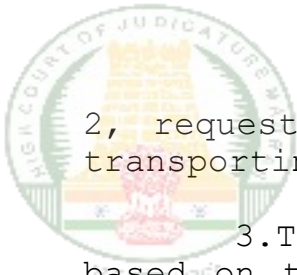
**PRAYER:** Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to consider and pass orders on the petitioner's representation dated 10.08.2020 submitted in person in regard to quarrying and transportation of Gravel in the Patta Land in Survey Nos.54/2, 54/6, 55/2A, 56/2, 39/1, 42/1 and 46/4 measuring to an extent of 2.465 Hectares situated at Marathurai Village, Thiruvaidaimurudur Taluk, Thanjavur District, within the time limit that may be stipulated by this Court.

|                 |                                                       |
|-----------------|-------------------------------------------------------|
| For Petitioner  | : Mr.K.Sankar                                         |
| For Respondents | : Mrs.J.Padmavathidevil<br>Special Government Pleader |

### **O R D E R**

This Writ Petition has been filed by the petitioner to direct the respondents 1 & 2 to consider and pass orders on the petitioner's representation dated 10.08.2020.

2.According to the petitioner, he is a permanent resident of Marathurai Village, Thiruvaidaimarudur Taluk, Thanjavur District. The adjacent land owners of the petitioner have entered into an un-registered agreement dated 08.08.2020 with the petitioner, to the effect that the petitioner shall take over the punja land measuring an extent of 2.465 Hectares, owned by the adjacent land owners for regulation purpose, and while regulating the above lands, the petitioner can take out the extra gravel. Thus, since the petitioner is entitled to take the extra gravel from the subject land, he submitted a representation dated 10.08.2020 to the respondents 1 &



2, requesting them to give permission for quarrying operation and transporting the extra Gravel taken out from the said land.

3.The learned counsel for the petitioner would submit that based on the petitioner's representation, the first respondent has issued a proceeding in Na.Ka.No.255/KanimaD/2020 dated 10.08.2020, instructing the 3<sup>rd</sup> respondent to make spot inspection in the subject land and ascertain the current position of the said agricultural land and to give a report to that effect. The grievance of the petitioner is that though the proceeding has been issued to the third respondent on 10.08.2020 for conducting inspection, no action has been taken by the third respondent till date. Due to the inaction on the part of the third respondent, the land owners are not able to do cultivation in the subject land. Hence, this petition.

4.The learned Special Government Pleader appearing for the respondent would submit that the representation of the petitioner will be considered within a period of six weeks.

5.Considering the facts and circumstances of the case and also the fact that the representation of the petitioner dated 10.08.2020 has already been forwarded to the third respondent for conducting inspection and also considering the submission of the learned Special Government Pleader appearing for the respondents, there shall be a direction to the third respondent to consider the petitioner's representation to conduct inspection in the subject land and pass orders, based on the collector's recommendation dated 10.08.2020, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

**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 District Collector,  
Thanjavur District,  
Thanjavur.

2.The Assistant Director,  
Mines and Minerals Department,  
Thanjavur,  
Thanjavur District.

3.The Revenue Divisional Officer,  
O/o The Revenue Divisional Office,  
Kumbakonam,  
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+1 CC to M/s.SPL GP ( SR-17771[F] dated 27/04/2021 )

W.P. (MD)No.8458 of 2021  
23.04.2021

NSM(CO)  
KB(11.05.2021) 3P 5C