



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.04.2021

CORAM :

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.8421 of 2021
and
WMP (MD) .No.6358 of 2021

Kumaravelu

.. Petitioner

Vs

1. The Principal Secretary to Government
of Tamil Nadu,
Department of Geology and Mining,
Secretariat, Chennai.
2. The District Collector,
Pudukottai.
3. The District Revenue Officer,
Pudukottai.
4. The Superintendent of Police,
Pudukottai.
5. The Regional Manager,
Tamil Nadu Forest Plantation Corporation (TAF CORN) Ltd.,
Pudukottai.
6. The Assistant Director,
Department of Geology and Mines,
Pudukottai.
7. The Revenue Divisional Officer,
Pudukottai.
8. The Tahsildar,
Thirumayam Post and Taluk,
Pudukottai District.
9. Alagu



10. Ramaiah

11. Karuppaiah

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, thereby direct the respondents 2 to 8 to take appropriate action against the respondents 9 to 11 for doing illegal quarry operation in S.No.409,410 and 430 of Valaiyanvayai Village, Thirumayam Taluk and Pudukottai District.

For Petitioner : Mr.P.Ganapathi Subramanian

For respondents : Mr.K.P.Krishnadoss,
Special Government Pleader
for R1 to R8

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.P.Ganapathi Subramanian, learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents 1 to 8.

2. The petitioner has come forward with this writ petition, styled as a public interest litigation, alleging that the respondents 9 to 11, have been quarrying in waterbodies, which have been classified as Eri, Vari Poramboke etc., and also encroached into the forest land. The representation given by the petitioner has been forwarded by the District Collector, Pudukottai to the Revenue Divisional Officer, Pudukottai, by memo dated 22.03.2021, directing a survey to be conducted.

3. Today, when the matter is heard, the Assistant Director-Department of Geology and Mines, Pudukottai, is present in the Office of the learned Special Government Pleader and he has also appeared through video conferencing along with the learned Special Government Pleader. Considering the fact that the allegations *prima facie* appeared to be serious, without expressing any opinion on the merits of the allegations, because we are disposing of the writ petition without notice to the respondents 9 to 11, we are of the view that the survey should be completed at the earliest.



4. The learned Special Government Pleader appearing for the respondents 1 to 8, on instructions from the Assistant Director-Department of Geology and Mines, Pudukottai, submitted that the survey has commenced on 24.04.2021 in Survey No.430 and it will be completed at the earliest.

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5. It appears that the President of the Village Panchayat is the wife of the tenth respondent. In any event, the authority should conduct and conclude the survey within a period of two weeks from the date of receipt of a copy of this order and thereafter, proceed in accordance with law. During the survey, the respondents 9 to 11, as well as the President of the Thulaiyanur Village Panchayat, shall also be present. The survey team shall take photographs or videographs. The entire survey shall be conducted using latest equipments.

6. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

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/ /2021

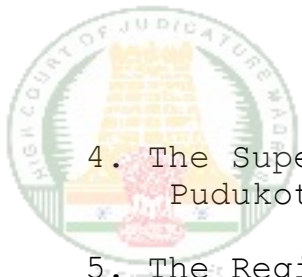
Sub Assistant Registrar(CS)

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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
of Tamil Nadu,
Department of Geology and Mining,
Secretariat, Chennai.
2. The District Collector,
Pudukottai.
3. The District Revenue Officer,
Pudukottai.



4. The Superintendent of Police,
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8. The Tahsildar,
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Pudukottai District.

+1 CC to M/s.SPL GP (SR-17762[F] dated 27/04/2021)

W.P. (MD) No.8421 of 2021

26.04.2021

RK (27.04.2021) 4P 10C