



WEB COPY

W.P[MD]No.10727 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.10727 of 2021

and

W.M.P.[MD]No.8348 of 2021

S.Mathialagan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur District.

3.The Tahsildar,
Buddhalore Taluk,
Thanjavur District.

4.The Executive Engineer, PWD,
WRO, River Conservancy Division,
Tiruchirappalli District.

5.The Assistant Director,
Tamil Nadu Mines and Minerals,
Thanjavur.

6.The Project Manager,
Patel Infrastructure Pvt. Ltd.,
Valayapatti Agraharam, Kumbakonam,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to prevent the excess sand mining in Kadampankudi lake situated at Pudhupatti Village, Buddhalore Taluk, Thanjavur District comprised in Survey No.116/2, consequently ensure that the sand mining work is in accordance with the order issued by the first respondent in Na.KA.No.383/mineral/2019 dated 25.02.2021 and consider the petitioner representation dated 29.03.2021.

For Petitioner : Mr.K.S.Durai Pandian

For Respondents 1 to 5 : Mr.R.Baskaran

Standing Counsel for Government



O R D E R

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

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.K.S.Durai Pandian, learned Counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents 1 to 5.

3.The petitioner by way of this Public Interest Litigation alleges that the sixth respondent is indulging in excess quarrying.

4.We find that permission has been granted to the sixth respondent, who is a contractor for widening of the National Highways to quarry sand. The permission granted vide order dated 25.02.2021, contains various conditions. The petitioner would contend that Condition Nos.1, 11 & 13, have been violated.

5.Since we are disposing of this writ petition without notice to the sixth respondent, we are not issuing any positive direction but we direct the third and fifth respondents to conduct surprise inspection of the area in question within one [1] week from the date of receipt of a copy of this order and if there is any violation committed by the sixth respondent, violating the terms and conditions contained in the permission dated 25.02.2021, action be initiated against the sixth respondent, after issuing notice to the sixth respondent, but if it is found that the allegation is not true, the entire proceedings may be closed.

6.Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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 Revenue Divisional Officer,
Revenue Divisional Office,
Thanjavur District.
- 3.The Tahsildar,
Buddhalore Taluk,
Thanjavur District.
- 4.The Executive Engineer, PWD,
WRO, River Conservancy Division,
Tiruchirappalli District.
- 5.The Assistant Director,
Tamil Nadu Mines and Minerals,
Thanjavur.

W.P.[MD]No.10727 of 2021
30.06.2021

KUN (CO)
KB (08.07.2021) 3P 6C