



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)NO.9104 of 2019

and

W.M.P(MD)Nos.7091, 7092 of 2019

and 7345 of 2020

K.Pushparaj : Petitioner

.vs.

- 1.The Secretary,
Industries (MMC-2) Department,
Secretariat, Chennai - 600 009.
- 2.The Commissioner/Director of
Geology & Mines Department,
Guindy, Chennai - 600 032.
- 3.The District Collector,
Sivagangai District,
Sivagangai.
- 4.The Assistant Director of Mines & Minerals,
Mines & Minerals Department,
Sivagangai,
Sivagangai District.
- 5.The Superintendent of Police,
O/o. The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 6.The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
- 7.The Tahsildar,
Ilayangudi Taluk, Sivagangai District.
- 8.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
- 9.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.



10.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

11.The Tahsildar,
Devakottai Taluk,
Sivagangai District.

12.M.Kalidass

13.S.Kalidass

14.S.Marivel

15.G.Dhanapalan

16.Arokia Suresh

17.Arunachalam

18.Selvam S/o.Thangachamy

19.Selvam S/o.Mookan

20.Shanmugasundaram

21.Periyasamy

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 3 and 4 from granting any permit to quarry gravel sand in Sivagangai District and directing the respondents 1 to 11 to initiate appropriate action against the respondents 12 to 21 for unlawful and excess quarrying of gravel sand within the time stipulated by this Court.

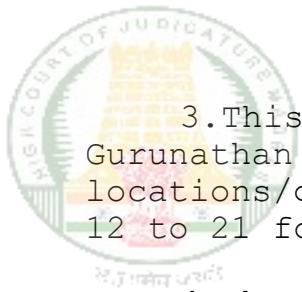
For Petitioner	:	Mr.K.Sankar
For Respondents	:	Mr.P.Thilak Kumar
1 to 11		Government Pleader
For Respondents	:	No appearance
12, 14 to 18, 20 and 21		
For Respondent-13	:	Mr.Raja Karthikeyan
For Respondent-19	:	Mr.T.Ramesh
Advocate Commissioner	:	Mr.K.Gurunathan

O R D E R

[Order of the Court was made by **M.DURAISWAMY.,J.**]

The learned Counsel appearing for the petitioner seeks permission of this Court to withdraw the Writ Petition. The learned Counsel appearing for the petitioner has also given a letter to the Registry, for listing the matter under the caption 'for withdrawal'. Accordingly, the Writ Petition has been listed today under the caption 'for withdrawal'.

2.In view of the submission made by the learned Counsel appearing for the petitioner, the Writ Petition stands dismissed as withdrawn.



3.This Court by order, dated 02.03.2020, appointed Mr.K. Gurunathan as Advocate Commissioner, to inspect every locations/quarrying site, that was leased to each of the respondents 12 to 21 for exploiting minerals in the respective sites.

4.The District Collector,Sivagangai was directed to pay a sum of Rs.50,000/- as initial remuneration and the Division Bench has also made it clear that this Court will finalise the actual remuneration, after some time.

5.Though the Division Bench had passed the order on 02.03.2020 itself, the District Collector, Sivagangai, has not complied with the directions of the Division Bench of this Court so far.

6.Mr.K.Gurunathan, learned Advocate Commissioner submitted that the District Collector,Sivagangai has not disbursed the initial remuneration till today. Now that the petitioner has withdrawn the Writ Petition and that the learned Advocate Commissioner submitted that he has inspected the site on three occasions.

7.In view of the submission made by the learned Advocate Commissioner, we direct the District Collector, Sivagangai, the third respondent in the Writ Petition, to pay a sum of Rs.50,000/- to the Advocate Commissioner within two weeks from the date of receipt of a copy of this order.

8.Mr.P.Thilak Kumar, learned Government Pleader is directed to file a memo, with regard to the payment of the remuneration to the Advocate Commissioner in two weeks' time. No costs. Consequently, the connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn/lr

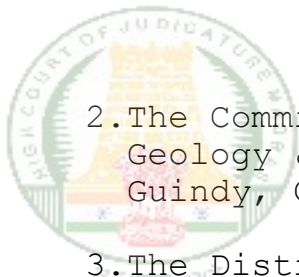
Note :

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 Secretary,
Industries (MMC-2) Department,
Secretariat, Chennai - 600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



- 2.The Commissioner/Director of
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Thiruppuvanam Taluk, Sivagangai District.
- 10.The Tahsildar,
Sivagangai Taluk, Sivagangai District.
- 11.The Tahsildar,
Devakottai Taluk, Sivagangai District.

COPY TO:-

Mr.P.Thilakkumar,
Govt. Advocate,
Madurai Bench of Madras High Court, Madurai. (SR No.31760)

+1 CC to M/s.K.SANKAR, Advocate (SR-31554[F] dated 07/10/2021)
+1 CC to M/s.K.GURUNATHAN, Advocate (SR-31475[F] dated 07/10/2021)

ORDER MADE IN
W.P (MD)NO.9104 of 2019
and
W.M.P (MD)Nos.7091, 7092 of 2019
and 7345 of 2020
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(CO)

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