



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.16194 of 2020

WEB COPY

Pethuran

... Petitioner

Vs.

- 1.The District Collector,
Theni District.
- 2.The Assistant Director,
Department of Geology and Mines,
Theni District.
- 3.The Thasildhar,
Theni Taluk,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to monitor the stone quarry operations in the 49 stone quarries and crusher units in Theni District and to take appropriate action against the violators in accordance with Rule 36 of the Tamilnadu Minor Mineral Concession Rules, 1959.

For Petitioner : Mr.K.Vijayanand
For Respondents : Mr.A.K.Manickam
Standing Counsel for Government

O R D E R

(Order of the Court was made by T. S. SIVAGNANAM, J.)

Heard Mr.R.Suriyanarayanan, learned counsel for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government, appearing for respondents.

2.The petitioner seeks for a direction upon the respondents to monitor the stone quarry operations in the 49 stone quarries and crusher units in Theni District and to take appropriate action against the violators in accordance with Rule 36 of the Tamilnadu Minor Mineral Concession Rules, 1959.

3.The learned counsel for the petitioner submits that the status report filed by the second respondent may be placed on record and the Writ Petition may be disposed of.

4.In paragraph 5 of the status report of the second respondent, it is stated as follows:



"5.I respectfully submit that, in a couple of months all the 52 stone quarries in Govt. Poramboke lands and quarries in patta lands will be measured by unmanned Aerial Vehicles (Drone) by the designated agency Anna University and by calculating the volume of rough stone quarried and removed appropriate actions under rule 36-A (1) & (3) of Tamilnadu Minor Mineral Concession Rules will be imposed on the concerned; if found guilty."

5.In the light of the above, we direct the respondents to conduct aerial survey by using drones and action be taken against those persons, who are functioning against the conditions stipulated or in violation of the statutory provisions.

6.The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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,
Theni District.
- 2.The Assistant Director,
Department of Geology and Mines,
Theni District.
- 3.The Thasildhar,
Theni Taluk,
Theni District.

+1 CC to M/s.SPL GP (SR-21731[F] dated 08/07/2021)

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