



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

and

THE HONOURABLE THIRU.JUSTICE P.VELMURUGAN

W.P(MD)No.16225 of 2021

and

WMP(MD)No.13072 of 2021

WEB COPY

N.Kanagaraj

... Petitioner

vs.

1)The Government of Tamilnadu,
Rep by its Additional Chief Secretary,
PWD-Water Resources Department,
Fort St George,
Chennai-600 009.

2)The Additional Chief Secretary,
Municipal Administration, urban and
water supply department,
Government of Tamilnadu,
Fort St George,
Chennai-600 009.

3)The Principal Secretary,
Environment, Climate Change and
Forest Department,
Government of Tamilnadu,
Fort St George,
Chennai-600 009.

4)The District Collector,
Dindigul District,
Dindigul.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to take appropriate legal action against the erred officials who are supporting the illegal mining of mineral (மணல்) near the Summer Time Dam (சோடைகால நீர் தேக்கம்) at Palani and direct the respondents to restore the area in its original condition based on the petitioner's representation dated 25.08.2021 within the period stipulated by this Hon'ble Court.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.P.Thilakkumar

Government Pleader



ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

The petitioner has sought for a Mandamus, to direct the respondents to take appropriate legal action against the erring officials who are supporting the illegal mining of mineral near the Summer Time Dam at Palani and direct the respondents to restore the area in its original condition, based on the petitioner's representation dated 25.08.2021, within a time frame.

2. It is the case of the petitioner that rain water coming from the Kodaikanal hills will be stored in the said dam and after purification, the water will be supplied to the residents of Palani and neighbouring villages. However, the local party people attempted to destroy the said dam and illegally mining the mineral from the dam at a depth of 20 feet. Hence, the petitioner made a detailed representation to the 4th respondent, District Collector, Dindigul District and the 1st respondent, Additional Chief Secretary to Government of Tamilnadu, on 25.08.2021. As there was no response, this writ petition has been filed.

3. The learned Government Pleader appearing for the respondents would state that suitable orders will be passed on the petitioner's representation dated 25.08.2021.

4. In view of the above submission, the 4th respondent, District Collector, Dindigul District, is directed to consider the representation of the petitioner, dated 25.08.2021, and pass orders after affording opportunity of personal hearing to the persons concerned and communicate the order that may be passed, to the petitioner, within a period of four weeks.

5. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

6. Post the matter on 18.01.2022 for reporting compliance.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1) The Additional Chief Secretary,
Government of Tamilnadu,
PWD-Water Resources Department,
Fort St George,
Chennai-600 009.
- 2) The Additional Chief Secretary,
Municipal Administration, urban and
water supply department,
Government of Tamilnadu,
Fort St George,
Chennai-600 009.
- 3) The Principal Secretary,
Environment, Climate Change and
Forest Department,
Government of Tamilnadu,
Fort St George,
Chennai-600 009.
- 4) The District Collector,
Dindigul District,
Dindigul.

+1 CC to M/s.SPL GP (SR-36972[F] dated 02/12/2021)

ORDER MADE IN

W.P (MD) No.16225 of 2021

DATED : 30.11.2021

SK (CO)

GC (29.12.2021) 3P 6C