



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.21204 of 2021

WEB COPY

M.Suseendran

... Petitioner

Vs.

1.The Deputy Director,
Mines and Quarries Minor Minerals
and Geology Department,
Madurai.

2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Melur Taluk,
Madurai District.

4.The Tahsildar,
Melur Taluk,
Madurai District.

5.G.Muneeswaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st and 2nd Respondents to carryout an inspection of the entire locality and regulate the entire illegal mining and quarrying and transporting activity in the region which has done by the 5th Respondent and to take appropriate action against the 5th Respondent on the basis of the petitioner's representation dated 20.10.2021 within a stipulated period.

For Petitioner

: Mr.A.Rajaram

For Respondent

Nos.1 to 4

: Mr.P.Thilakkumar

Government Pleader

ORDER

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

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the 1st and 2nd Respondents to carryout an inspection and to regulate the entire illegal mining and quarrying and transporting activity in the region which has been done by the 5th Respondent and to take appropriate action against the 5th Respondent on the basis of the petitioner's representation dated 20.10.2021 within a time frame.

<https://hccourtsonline.org.in/services>



2.Mr.P.Thilakkumar, learned Government Pleader, accepts notice on behalf of respondent Nos.1 to 4. In view of the order, we propose to pass in this Writ Petition, notice to fifth respondent is dispensed with.

3.By consent, this Writ Petition itself is taken up for final disposal at the time of admission.

4.The grievance of the petitioner is that the fifth respondent is quarrying more quantity of gravel sand than the permitted quantity and also digging upto 5 metres depth though he was permitted to remove soil upto 1.5 meter.

5.Though the petitioner has sought for a larger relief, the learned counsel appearing for the petitioner would submit that it would be suffice if the pending representation of the petitioner is directed to be considered by the second respondent.

6.In view of the above, without going into the merits of the claim made by the petitioner, we dispose of the Writ Petition, by directing the second respondent to consider the representation of the petitioner, dated 20.10.2021, after affording an opportunity of personal hearing to the petitioner and the fifth respondent, and pass appropriate orders on merits and in accordance with law and communicate the decision taken to the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

Note :

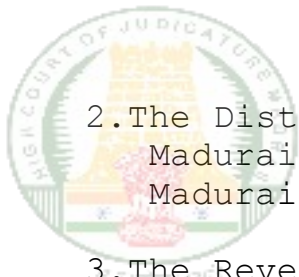
In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Deputy Director,
Mines and Quarries Minor Minerals
and Geology Department,

Madurai.

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



2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Melur Taluk,
Madurai District.

4.The Tahsildar,
Melur Taluk,
Madurai District.

+1 CC to M/s.A. RAJARAM, Advocate (SR-36593[F] dated 30/11/2021)

+1 CC to M/s.SPL GP (SR-36758[F] dated 01/12/2021)

W.P(MD)No.21204 of 2021
30.11.2021

RK(23/12/2021) 3P 7C