



W.P.No.29732 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

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J.Ramesh

.. Petitioner

VS

1. The Principal Secretary to Government
Government of Tamilnadu
Industries Department
St. George Fort, Chennai – 600 009.
2. The Director
Office of Geology and Mines Department
Guindy, Chennai – 600 032.
3. The District Collector
Chengalpattu District
Chengalpattu – 603 001.
4. The Revenue Divisional Officer
Madurantagam Taluk
Chengalpattu – 603 306.
5. The Assistant Director
Office of Geology and Mines Department
Kanchipuram – 631 501.



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6. The Tamil Nadu Pollution Control Board
rep. by its Chairman
Anna Salai, Guindy, Chennai.

7. The State Level Environment Impact
Assessment Authority – Tamil Nadu
3rd Floor, Panagal Maaligai
No.1, Jeenis Road, Saidapet
Chennai – 600 015.

8. Vela Vendhan Agencies
rep. by its Managing Partner
K.Dhanakotteswaran
No.1, Meenakshi Avenue
3rd Cross Street
Old Perungulathur
Chennai – 600 063.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents herein to consider and dispose of the representation dated 12.9.2022 made by the petitioner to the respondents and to take immediate action against the 8th respondent for illegal mining at Kattuthevathur Village .

For the Petitioner : Mr.V.R.Kamalanathan
for M/s.K.Jamuna &
R.Renuka Devi

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 5

: Mrs.Shanmugavalli Sekhar
Standing Counsel
for 6th respondent



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: Mr.K.Srinivasamurthy
for 7th respondent

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Mr.J.Ramesh, son of Jagatheesan, a resident of Plot No.31, 5th Cross Street, VGP Second Cross Main Road, Palavakkam, Chennai-41, has filed this writ petition seeking to direct respondent authorities to consider and dispose of the representation dated 12.9.2022 made by him and to take an immediate action against respondent No.8 for illegal mining at Kattuthevathur Village, Madurantakam Taluk.

2. Mr.V.R.Kamalanathan, learned counsel appearing for the petitioner, submitted that the petitioner, being a resident of Chennai, is well acquainted with the facts of the case and, therefore, he has filed this public interest litigation. Learned counsel would submit that respondent No.8 has obtained permission to undertake mining operation, namely to run a sand quarry in Survey Nos.107/7, 108/1A, 108/1B, 108/1C2 and 108/1D2 of Kattuthevathur Village, to an extent of 2.26.80 hectares, but he is carrying mining operations in about 15



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acres. Further, respondent No.8 is carrying mining operation without obtaining environmental clearance and, that too, beyond the permissible limit.

3. Learned counsel appearing for the seventh respondent/ State Level Environment Impact Assessment Authority, Tamil Nadu, opposing the argument advanced by learned counsel for the petitioner, submitted that respondent No.7 has granted environmental clearance certificate in favour of respondent No.8 to carryout mining operations in Survey Nos.107/7, 108/1A, 108/1B, 108/1C2 and 108/1D2 of Kattuthevathur Village, Madurantakam Taluk to an extent of 2.26.80 hectares for a period of five years.

4. Thus, from the arguments of learned counsel for the seventh respondent, it is clear that the mining operation is being carried out by respondent No.8 only after obtaining the environmental clearance.

5. Coming to the allegation that respondent No.8 is carrying on the quarrying operation beyond the permissible limit, learned State Government Pleader appearing for respondents 1 to 5 submitted that



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the third respondent/District Collector, Chengalpattu, through his officials will conduct an inspection after notice to respondent No.8 within a period of two weeks from the date of receipt of a copy of this order and upon inspection, if it is found that respondent No.8 is carrying on quarrying operation beyond the permissible limit, the concerned official will take necessary action against respondent No.8, in accordance with law, within a period of six weeks thereafter.

6. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with. The respondent authorities are directed to ensure that necessary action is undertaken within the stipulated time. There will be no order as to costs. Consequently, W.M.P.No.29125 of 2022 is closed.

(T.R., ACJ.) (D.K.K., J.)
09.11.2022

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