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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.34244 of 2022
and
W.M.P.No.33694 of 2022

1.B.Vatsala
2.R.B.Jayakumar
3.R.K.Leela Krishnan

.. Petitioners

Vs.

- 1.The Member Secretary,
State Level Environment Impact Assessment Authority,
Third Floor, Panagal Maligai,
Saidapet, Chennai – 600 015.
- 2.The District Collector,
Ranipet District.
- 3.The Director of Mines Geology & Mining,
Guindy Chennai – 600 032.
- 4.The Assistant Director of Mines,
Department of Geology & Mines,
Sathuvachery,
Vellore District Collectorate,
Vellore.



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5. The Regional Director,
Tamil Nadu Pollution Control Board,
NH – 40, Mukundarayapuram,
Ranipet – 632 403.

6. The Revenue Divisional Officer,
Wintepet, Arakonam Taluk,
Ranipet District.

7. The Tahsildar,
Taluk Office,
Arakonam Taluk,
Ranipet District.

8. The Chairman,
Pollution Control Board,
Guindy, Chennai – 600 032.

9. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Auxillium College Road,
Opp: Auxillium College,
Gandhi Nagar,
Vellore.

10. The Secretary,
Government of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai – 600 009.

11. R.B.Raja

.. Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the official respondents 1 to 10 more particularly the 1st respondent to reject the application of the 11th respondent for grant of Stone Quarry Lease or License in his favour, with regard to land of an extent of 8.64 aces of land comprised in S.Nos.351/1, 2 & 8, Athur Village, Arakonam Taluk, Ranipet District, considering the representation dated 17.09.2022 duly submitted and received by the 1st respondent after conducting an enquiry into the matter giving reasonable opportunity of being heard the petitioners.

For Petitioner	.. Mr.S.Sadasharam
For R1	.. Mr.K.Srinivasamurthy, Govt. Advocate
For R2 to R10	.. Mr.T.Seenivasan, Special Government Pleader.

ORDER

This Writ Petition has been filed in the nature of Writ of Mandamus, seeking a direction to the official respondents 1 to 10 more particularly the 1st respondent to reject the application of the 11th respondent for grant of Stone Quarry Lease and to consider the representation dated 17.09.2022



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2.The 11th respondent is the son of the 1st petitioner and brother of the 2nd petitioner. There appears to be a family dispute among the petitioners on the one hand and the 11th respondent on the other hand, relating to the division of the joint family property. It is stated that that there has been no division of property by metes and bounds. But, the 11th respondent had independently made an application seeking to do quarry business in the property. In this connection, the petitioners had given a representation dated 17.09.2022.

3.The District Collector, Ranipet / 2nd respondent, is directed to enquire the representation dated 17.09.2022, which had been issued to his office also and issue notice to the petitioners and also to the 11th respondent and obtain a report, with respect to the lands, from the Tashildar, Arakonam Taluk and thereafter, if there is a civil dispute, pass necessary orders, otherwise, pass an order in accordance with law. At any rate, any order passed, should be done only after giving opportunity to the petitioners and also to the 11th respondent and also after examining the official records relating to the quarrying application of the 11th respondent. The entire exercise should be completed on or before 31.03.2023.



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4.This order is passed without hearing the 11th respondent and I am confident that necessary opportunity will be given to the 11th respondent by the 2nd respondent during the course of enquiry.

5.With the above observations, this Writ Petition stands disposed of.
No costs. Consequently, the connected Miscellaneous Petition is closed.

22.12.2022

Index:Yes/No
Internet:Yes/No
smv

(1/2)

To

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- 3.The Director of Mines Geology & Mining,
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4. The Assistant Director of Mines,
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C.V.KARTHIKEYAN,J.

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