



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.4855 of 2022

R.Sivaraman

.. Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Geology and Mining Department,
Secretariat,
Chennai.

2.The Deputy Director,
O/o. Deputy Director of Geology and Mining,
District Collector Office Campus,
Thanjavur,
Thanjavur District.

3.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

4.Uma Maheswari
5.Bharanidharan
6.Dinkararan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to prevent the illegal mining operation made by the respondents No.4 to 6 into the petitioner's land by considering petitioner's representation, dated 07.01.2022, within the period that may be stipulated by this Court.

For Petitioner : Mr.B.Fazil Kirmani
For Respondents : Mr.P.Thilak Kumar for R1 to R3
Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to prevent the illegal mining operation made by the respondents 4 to 6, by considering the petitioner's representation, dated 07.01.2022, within a time frame to be fixed by this Court.

2.According to the petitioner, the respondents 4 to 6 are illegally doing mining operations in S.No. 123/9, Thiruvidaimaruthur
<https://hcservices.ecourts.gov.in/hcservices/>



Taluk, Ammaiappan Village. He has given a complaint to the official respondents on 07.01.2022, calling upon them to take action against the respondents 4 to 6. Since the representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.B.Fazil Kirmani, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4.No prejudice will be caused to the official respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 4 to 6, within a time frame to be fixed by this Court.

5.Accordingly, this Court directs the third respondent to consider the petitioner's representation, dated 07.01.2022, requesting the third respondent to take action against the respondents 4 to 6 for the alleged illegal mining operation made by them and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the respondents 4 to 6, within a period of three months from the date of receipt of a copy of this order.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

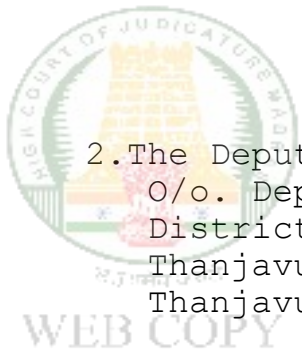
TM

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 Secretary to Government,
The State of Tamil Nadu,
Geology and Mining Department,
Secretariat, Chennai.

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



2.The Deputy Director,
O/o. Deputy Director of Geology and Mining,
District Collector Office Campus,
Thanjavur,
Thanjavur District.

3.The Tahsildar,
Thiruvidaimaruthur Taluk,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-13169[F] dated 21/03/2022)

W.P. (MD)No.4855 of 2022

18.03.2022

ss (CO)

GC(30.03.2022) 3P 5C