



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2022

CORAM:

**THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.9115 of 2022

and

W.M.P (MD) No.6589 of 2022

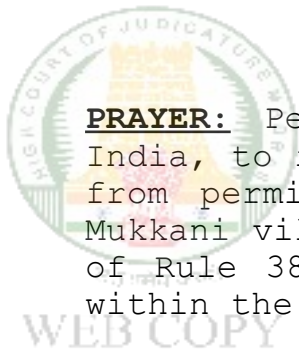
M.Muthiah

... Petitioner

-vs-

- 1.The State of Tamil Nadu,
Rep by the Principal Secretary to Government,
Department of Geology and Mining,
Fort St.George, Secretariat,
Chennai - 9.
- 2.The Director of Geology and Mining,
O/o. The Director of Geology and Mining,
Alandur Road, Guindy Industrial Estate,
Guindy, Chennai - 32.
- 3.The Commissioner,
Department of Geology and Mining,
Thiru Vi Ka.Industrial Estate,
Guindy, Chennai - 32.
- 4.The District Collector,
Tuticorin District, Tuticorin.
- 5.The Assistant Director of Geology
and Mines,
O/o. The Assistant Director of Geology and
Mines, Tuticorin District.
- 6.The Public Works Department,
Rep by its Superintending Engineer,
(WRO) Thamarabarani Basin Circle,
Tirunelveli.
- 7.The Tahsildar,
Thiruchendur Taluk,
Tuticorin District.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus to forbear the respondents 1 to 7 from permitting quarrying river sand in Tamirabharani River bed, Mukkani village, Srivaikundam Taluk, Tuticorin District in violation of Rule 38(A) of Tamil Nadu Minor Mineral Concession Rules, 1959, within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General,
assisted by Mr.P.Thilak Kumar,
Government Pleader for R1 to R7.

O R D E R
(Made by P.N.PRAKASH, J.)

This writ petition has been filed praying for a direction to forbear the respondents 1 to 7 from permitting them to quarry river sand in Tamirabharani River bed, Mukkani village, Srivaikundam Taluk, Tuticorin District, in violation of Rule 38(A) of Tamil Nadu Minor Mineral Concession Rules, 1959.

2. On 06.06.2022, this Court passed the following orders:-

"The short point that deserves to be decided in the Public Interest Litigation is whether the Government is intending to quarry sand in Thamiraparani River bed at Mukkani Village, Srivaikundam Taluk without complying with the directions that have been issued by this Court in W.P.(MD) Nos.20903 of 2016 etc., batch dated 12.02.2021.

2. Mr.P.Thilak Kumar, learned Government Pleader, seeks time to get instructions. List the matter in the admission list on 09.06.2022."

3. Today, when the matter was taken up for hearing, Mr.Veera Kathiravan, learned Additional Advocate General, submitted a communication dated 13.06.2022 from the Executive Engineer, WRD, Mining and Monitoring Division, Madurai - 2, addressed to the Office of the learned Additional Advocate General, wherein, it is stated as follows:-

"The writ petition filed by one Muthaiah, S/o. Masana Muthu, filed a writ petition against 1 to 7 respondents from permitting quarrying river sand in Mukkani Village in Srivaikundam Taluk, Thoothukudi District in W.P.(MD).No.9115 of 2022.

On behalf of the Superintending Engineer, Thamirabarani basin circle Tirunelveli, I hereby declare that as of now there has been no sand quarry proposal in Thamirabarani river in Mukkani Village of Srivaikundam Taluk in Thoothukudi District."



4. Recording the same, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

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/06/2022

Sub Assistant Registrar(CS)

pkn

To:

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Department of Geology and Mining,
Fort St.George, Secretariat, Chennai - 9.
- 2.The Director of Geology and Mining,
O/o. The Director of Geology and Mining,
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- 5.The Assistant Director of Geology and Mine,
O/o. The Assistant Director of Geology and
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- 6.The Public Works Department,
Rep by its Superintending Engineer,
(WRO) Thamarabarani Basin Circle,
Tirunelveli.
- 7.The Tahsildar,
Thiruchendur Taluk, Tuticorin District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-25496[F]
dated 14/06/2022)

+1 CC to M/s.SPL.GP (SR-25835[F] dated 15/06/2022)

W.P. (MD) No.9115 of 2022

13.06.2022

IM(CO)GC(23.06.2022) 3P 10C

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