



WEB COPY

W.P(MD)No.10004 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.10004 of 2022

and

W.M.P (MD) No.7131 of 2022

S.Ramasubbu

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Sankarankovil,
Tenkasi District.

3. The Tahsildar,
Thiruvenkadam Taluk,
Tenkasi District.

4. The Assistant Director of Geology and Mining,
Department of Geology and Mining,
Tenkasi District,
Tenkasi.

5. The Village Administrative Officer,
Karisathan,
Thiruvenkadam Taluk,
Tenkasi District.

6. Karthikeyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to take necessary action against the illegal sand mining in Survey Nos.870/2, 870/3, 873/1B, 864 and 872/2C situated at Karisathan Village, Thiruvenkadam Taluk, Tenkasi District by the 6th respondent, in light of the action initiated by the second respondent in his proceedings in Na.Ka.No.A3/1345/2021, dated 05.04.2022 and also by considering the petitioner's representation dated 28.03.2022, within a stipulated time as fixed by this Court.

For Petitioner

: Mr.S.Prasanth

For Respondents 1 to 5

: Mr.A.Kannan

Additional Government Pleader



O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to take necessary action against the alleged illegal sand mining in Survey Nos.870/2, 870/3, 873/1B, 864 and 872/2C situated at Karisathan Village, Thiruvenkadam Taluk, Tenkasi District, by the sixth respondent based on the petitioner's representation dated 28.03.2022 within the time frame to be fixed by this Court.

2. According to the petitioner, the sixth respondent is illegally mining in the aforementioned property. The petitioner is a neighbour to the sixth respondent. He has given a representation on 28.03.2022 requesting the third respondent to take action against the sixth respondent for the illegal sand mining done by him.

3. The learned Additional Government Pleader appearing for the official respondents, on instructions, would submit that the representation given by the petitioner has already been forwarded to the third respondent by the second respondent.

4. Since proceedings have already been initiated, no prejudice would be caused to any of the parties, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the sixth respondent, including granting them the right of personal hearing.

5. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's representation dated 28.03.2022 seeking for taking action against the sixth respondent for the alleged illegal sand mining in Survey Nos.870/2, 870/3, 873/1B, 864 and 872/2C situated at Karisathan Village, Thiruvenkadam Taluk, Tenkasi District, within a period of 12 weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner and the sixth respondent, including granting them the right of personal hearing.

6. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer/
Assistant Registrar (CS III)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

RM

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



To

1. The District Collector,
Tenkasi District,
Tenkasi.

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4. The Assistant Director of Geology and Mining,
Department of Geology and Mining,
Tenkasi District,
Tenkasi.

5. The Village Administrative Officer,
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Thiruvankadam Taluk,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-24085[F] dated 23/05/2022)

W.P. (MD) No.10004 of 2022
20.05.2022

MGJ(31.05.2022) 3P 7C