



W.P.(MD) No.322 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2022

CORAM:

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI, THE CHIEF
JUSTICE**

and

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD) No.322 of 2019

and

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S.Muniasamy

... Petitioner

-VS-

- 1.The Government of Tamil Nadu,
represented by its Principal Secretary,
Public Works Department,
Fort St.George, Chennai-600 009.
- 2.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 3.The Assistant Director,
Geology and Mining,
Collectorate, Ramanathapuram,
Ramanathapuram District.
- 4.Vijayaraghavan,
The Assistant Director,



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Geology and Mining,
Collectorate, Ramanathapuram,
Ramanathapuram District.

5.The Deputy Superintendent of Police,
Kamuthi, Ramanathapuram District.

6.The Deputy Superintendent of Police,
Mudhukulathur,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to stop the illegal river sand taken by so many sand smugglers in the name of “Savadu Soil” permit given by the third respondent situated at Kondulavi, Kidathirukkai and Kallikulam Villages, Muthukulathur and Kamuthi Taluks, Ramanathapuram District on the basis of the representation given by the petitioner on 15.12.2018 and 31.12.2018.

For Petitioner : No Appearance

For Respondents : Mr.P.Thilakkumar
Government Pleader
for R.1 to R.3 and R.5 and R.6

; No Appearance for R.4



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ORDER

[Order of the Court was made by The Hon'ble The CHIEF JUSTICE]

No one appears on behalf of the petitioner.

2. The Writ Petition has been filed to seek a restraint order of illegal river sand mining by taking Savadu Soil permit issued by the third respondent.

3. Learned Government Pleader appearing for the respondents 1 to 3 and 5 and 6 submits that now no permit is issued by the respondents and accordingly, there is no question of illegal river sand mining. The Writ Petition was otherwise filed in the year 2019 and since now no permit has been issued, it can be rendered as infructuous.

4. The Writ Petition was filed in the year 2019 and on the first day of hearing, a direction was given to the learned counsel for the petitioner to make an application for impleadment of those who are involved in illegal quarrying and smuggling of river sand and make them as parties to the writ petition. It seems



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that no steps are taken by the petitioner and therefore, the prayer has been made without making specific allegations against the involvement of any one who was involved in the illegal quarrying and smuggling of the river sand under the Savadu Soil permit obtained.

5. Thus we find that the litigation has not been pursued by the petitioner seriously and now according to the learned Government Pleader, the Savadu Soil permit has not been issued. Thus for all the reasons given above, we do not find any reason to defer the hearing of the petitioner, rather, the Writ Petition is ordered to be closed for the reasons stated above.

6. Accordingly, the Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

[M.N.B., C.J.] [G.C.S., J.]
29.08.2022

Index : Yes / No
Internet : Yes / No
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