



W.P.(MD)No.8900 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.8900 of 2018

P.Manickavasagam

... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District.
- 2.The District Collector,
Pudukottai District.
- 3.The Executive Engineer,
Public Works Department,
Kallanai Kalvai Division,
Thanjavur.
- 4.The Assistant Director,
Mines and Minerals Department,
Pudukottai District.
- 5.K.Chelladurai
(R5 suo motu impleaded vide order
dated 20.08.2019, made in W.P.(MD)
No.8900 of 2018 by MSNJ & BPJ)

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to take necessary steps to prevent soil sand quarrying



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in survey No.290/3 and 290/4 for total extent of 4.95 hectares situate at Manjapettai Village, Kantharva Kottai Taluk, Pudhukottai District and to save the agricultural operations and to protect the drinking water resources in that area as per the letter of 3rd respondent in K.No.52/m/ko/191/M.M. vari/D1/2017/ dated 10.05.2017 and considering the petitioner's representation dated 02.11.2017.

For Petitioner : Mr.P.Venkatesan

For Respondents 1 to 4 : Mr.P.Thilak Kumar
Special Government Pleader

* * *

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents to take necessary steps to prevent sand quarrying in Survey Nos.290/3 and 290/4, measuring an extent of 4.95 hectares, situate at Manjapettai Village, Kantharva Kottai Taluk, Pudhukottai District and to save the agricultural operations and to protect the drinking water resources in that area as per the letter of 3rd respondent in K.No.52/m/ko/191/M.M. vari/D1/2017/ dated 10.05.2017 and considering the petitioner's representation dated 02.11.2017.



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2. Heard Mr.P.Venkadesan, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4.

3. Claiming that the local administrative authority has given permission to conduct red soil quarry in Survey Nos. 290/3 and 290/4, Manjapettai Village, pursuant to which the water channels which are carrying water to Muthalai Muthuvari dam have been seriously damaged and because of the same people belongs to petitioner village are suffering due water scarcity, the petitioner submitted a representation to the official respondents on 02.11.2017 and the same, according to learned counsel for the petitioner, is unattended. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the respondents to consider the representation of the petitioner dated 02.11.2017, in accordance with law.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the merits of claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ



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Petition is disposed of with a direction to respondents to consider the representation of the petitioner dated 02.11.2017 and pass appropriate orders on merits and in accordance with law and communicate the decision taken to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
14.09.2022

Internet : Yes / No

Index : Yes / No

sj

To

- 1.The District Collector,
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Thanjavur.
- 4.The Assistant Director,
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Pudukottai District.



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and

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sj

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