



W.P.(MD) No.22972 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.22972 of 2022

and

W.M.P.(MD)No.17061 of 2022

V.Muthu Kumar

... Petitioner

-Vs-

- 1.The District Collector,
Virdhunagar District,
Virdhunagar.
- 2.The Revenue Divisional Officer,
Sivakasi West, Virdhunagar.
- 3.The Assistant Director,
Mines and Geology Department,
Virdhunagar.

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4.The Executive Officer,
S.Kodikulam Town Panchayat,
Watrap, Virdhunagar.

5.Karunai Eswaran

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents 1to 4 from granting any mining permission to the 5th respondent in Azhagarmalaiyan Odai, S.Kodikulam Town Panchayat, Watrap, Virdhunagar District by considering the petitioner's representation dated 27.09.2022.

For Petitioner : Mr.M.Jerin Mathew
For R1 to R4 : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed to forbear the respondents 1 to 4 from granting any mining permission to the 5th respondent in Azhagarmalaiyan Odai, S.Kodikulam Town Panchayat, Watrap, Virdhunagar District, by considering the petitioner's representation dated 27.09.2022.

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2.Mr.M.Senthil Ayyanar, learned Government Advocate takes notice for the respondents 1 to 4. Considering the nature of the order proposed to be passed, notice to the 5th respondent is dispensed with.

3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, the 5th respondent, who is an office bearer of the ruling party, had published a news that he is going to clean Azhagarmalaiyan Odai, however, he had been mining sand illegally with the help of the officials concerned. Hence, the petitioner made a representation dated 27.09.2022 in this regard to the official respondents, but the same has not been considered. Hence, this Writ Petition.

5.Today, when the matter was taken up for hearing, one Balamurugan, Revenue Inspector, Watrap Taluk Office, Watrap has appeared in-person and

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submitted that there is no illegal mining activity, but, desilting work alone is going on and due to personal vengeance, the petitioner has filed this Writ Petition.

6.Recording the aforesaid submission, this Writ Petition is disposed of, directing the authorities not to allow any person to carry on mining activities without proper licence. No costs. Consequently, connected Miscellaneous Petition is closed.

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

29.09.2022

Index : Yes / No

Internet : Yes / No

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To:

1.The District Collector,
Vir dhunagar District, Vir dhunagar.

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2.The Revenue Divisional Officer,
Sivakasi West, Vir dhunagar.

3.The Assistant Director,
Mines and Geology Department,
Vir dhunagar.

4.The Executive Officer,
S.Kodikulam Town Panchayat,
Watrap, Vir dhunagar



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