



W.P.No.2900 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.04.2023

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.2900 of 2023

and

W.M.P.Nos.3007 of 2023

A.Rukmani

... Petitioner

Vs

1. The Director of Geology and mines,
Guindy, Chennai-600 032.

2. Assistant Director of Mines,
Thiruvallur District,
Thiruvallur.

3. The District Collector,
Ponneri Taluk,
Thiruvallur District.

4. The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.

5. The Tahsildar,
Ponneri Taluk,
Thiruvallur District.

6.K.K.Chenthil Kumar @ K.Senthilkumar

... Respondents

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PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate Writ, order or direction of a like nature, directing the respondents 1 to 4 to conduct appropriate field inspection in respect of survey numbers 83/1B, 84/1B, 84/2A, 85/2, 87 & 86/2 to a total extent of 12.46 acres, situate at Vellivoyal village, Ponneri Taluk, Thiruvallur District belonging to the petitioner and initiate necessary legal action against the 6th respondent in accordance with Rule 19(2) and Rule 36-A(3)&(5) of Tamil Nadu Minor Mineral Concession Rules, 1959.

For Petitioner ... M/s.N.Kavitha Rameshwar

For Respondents ... Mr.M.Alagu Goutham,
Government Advocate for R1 to R5

... M/s.A.Prakash for R6

ORDER

This Writ Petition has been filed for a direction to respondents 1 to 4 to conduct field inspection in the lands belonging to the petitioner and take appropriate legal action against the 6th respondent.

2. Alleging an illegal quarrying of Brick earth in the lands belonging to the petitioner by the 6th respondent who is running an active brick earth in the



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adjoining Survey Numbers, the petitioner has made a detailed representation to the respondents on 28.09.2022 seeking appropriate legal action against the 6th respondent in accordance with the Rule 19(2)(a) and Rule 36-A(3) & 5 of Tamil Nadu Minor Mineral Concession Rules, 1959. Since, the respondents have not considered the representation, the petitioner has come up with this Writ Petition.

3. Learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 28.09.2022 seeking to appropriate against the 6th respondent for illegal quarrying of brick earths in the patta land belonging to the petitioner and conduct field inspection to detect the said act of the 6th respondent.

4. Learned Government Advocate submitted that during the pendency of this Writ Petition, a joint inspection was conducted by the respondent officials, while so, it was found that illegal quarrying of brick earth has been carried out in the patta land belonging to the petitioner for a depth of ½ meter and filed a status report to that effect.



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5. In view of the status report filed by the 3rd respondent, this Court without going into the merits of the case, directs the respondents 3 & 4 to conduct appropriate enquiry between the petitioner and the 6th respondent with regard to the illegal quarrying of brick earths in terms of the status report filed by the 3rd respondent and take appropriate action against the 6th respondent in the manner known to law within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

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Internet:Yes

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To

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Thiruvallur.
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Thiruvallur District.
4. The Revenue Divisional Officer,
Ponneri Taluk,
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M.DHANDAPANI, J.

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