



W.P.No.15182 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.15182 of 2023

S.Sarvath Kumar

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Public Department (Mines & Minerals)
Fort St. George
Chennai – 600 009.
2. The President
State Level Environment Impact
Assessment Authority
Panagal Building
Saidapet, Chennai – 600 015.
3. The Commissioner
Geology & Mines Department
Chennai – 600 032.
4. The District Collector
Thiruvallur District
Thiruvallur.



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5. The Tahsildar
Ponneri Taluk
Thiruvallur District.

6. The President
Perungavoor Village
Ponneri Taluk
Thiruvallur District.

7. M/s.G.R.V.Minerals
No.2/16, Perumal Koil Street
Sendrambakkam Village
Chennai – 600 052.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to prevent the illegal sand quarrying in Survey No.593(P) in Perunagavoor Lake situate in Perunagavoor Village, Ponneri Taluk, Thiruvallur District and to ensure the protection of the said water resources based on the petitioner's representation dated 26.04.2023.

For the Petitioner : Ms.R.Gobika

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R1, R3 to R6

Mr.K.Srinivas Murthy
for R2

Mr.Aadhi Narayana Rao
for R7



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ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.R.Gobika, learned counsel for the petitioner, Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader for respondents 1, 3 to 6, Mr.K.Srinivas Murthy, learned counsel for respondent 2 and Mr.Aadhi Narayana Rao, learned counsel for respondent 7.

2. The petitioner alleges illegal quarrying by the seventh respondent. According to the petitioner, permission was granted to the seventh respondent to quarry up to three feet depth, but the seventh respondent has gone up to fifteen feet.

3. The said allegation is denied by the respondent authorities. According to them, the photographs submitted by the petitioner are not of the land for which quarrying was permitted.



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4. According to the seventh respondent, the petitioner has engaged in blackmailing and criminal cases are also filed against the petitioner and other persons.

5. We may not enter into the said aspect at present.

6. The District Collector / fourth respondent has filed a counter affidavit. Paragraph 9 of the affidavit reads thus:

"9. With regard to the Para No.17 of the affidavit, it is submitted that the period of quarry lease granted to M/s.GRV.Minerals in the subject tank expires on 02.07.2023. However, the subject quarry was stopped on 31.05.2023 and based on the survey report furnished by the Tahsidlar, Ponneri, the Sub Collector, Ponneri was instructed by the District Collector vide letter dated 01.07.2023 to take appropriate action against the seventh respondent, M/s.GRV.Minerals for excess quarrying of ordinary earth carried out by the lessee."



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7. It states that some conditions have been violated by the seventh respondent and as such, quarrying was stopped on 31.05.2023. Now, the period of quarrying is also over. The Sub Collector, Ponneri was instructed to take appropriate action against the seventh respondent for excess quarrying of original earth. The official respondents shall complete the action to its logical end expeditiously.

8. With the aforesaid observation, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.14681 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

06.07.2023

Index : Yes/No
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

(drm)

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