



W.P.No.17279 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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Manikandan

... Petitioner

Vs.

1.The Collector,
Cuddalore District.
Cuddalore.

2.The Superintendent of Police,
Cuddalore District,
Cuddalore.

3.The Tahsildar,
Cuddalore,
Cuddalore Taluk,
Cuddalore District.

4.The Sub-Inspector of Police,
Naduveerapattu Police Station,
Naduveerapattu,
Cuddalore Taluk,
Cuddalore District.

5.Perumal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1



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and 2 to take suitable action against fifth respondent for the illegal sand mining in the petitioner's land, by considering petitioner's complaint/representation dated 23.05.2023.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.P.Sathish
Additional Government Pleader
[R1 to R4]

ORDER

The Writ Petition has been filed for a Writ of Mandamus, to direct the respondents 1 and 2 to take suitable action against fifth respondent for the illegal sand mining in the petitioner's land, by considering petitioner's complaint/representation dated 23.05.2023.

2. Mr.P.Sathish, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 4. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. Since no adverse order has been passed against the fifth respondent, notice to the fifth respondent is dispensed with.



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4. The case of the petitioner is that, he is the owner of the subject property and he acquired the same from his father by way of a settlement deed dated 01.10.2018. However, the fifth respondent, without any authority, continuously going to the petitioner's property with JCB machine and removing the sand from his property with the help of the respondents 3 and 4. In this regard, the petitioner made several complaints before the respondents 1 to 4, last of which is on 23.05.2023. However, the were not considered by the respondents. Hence, he filed the above writ petition before this Court for appropriate directions.

5. Though very many grounds have been raised in the writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court, issues a direction to the first respondent to consider the petitioner's representation dated 23.05.2023 and pass appropriate orders, within a time frame that may be stipulated by this Court.

6. The learned Additional Government Pleader appearing for the respondents 1 to 4 has no objection for the said order being passed.



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7. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 23.05.2023 on merits and in accordance with law and pass appropriate orders, within a period of six (6) weeks from the date of receipt of a copy of this order, after providing an opportunity of personal hearing to the petitioner as well as the fifth respondent.

8. With the above directions, the Writ Petition is disposed of. No Costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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M.DHANDAPANI, J.

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