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W.P.No.25184 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2023

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.25184 of 2023

J.Shajahan Jayaram

Vs

.. Petitioner

- 1.The Director,
Department of Geology and Mines & Minerals,
Guindy, Chennai.
- 2.The District Collector,
Mayiladuthurai District.
- 3.The Assistant Director,
Geology and Mining,
Nagapattinam/Mayiladuthurai,
Mayiladuthurai District.
- 4.The Revenue Divisional Officer,
Sirkali Taluk,
Mayiladuthurai.
- 5.The Thasildar,
Sirkali Taluk,
Mayiladuthurai.
- 6.K.Muralidaran

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 5 to consider petitioner's representation dated 30.01.2023, consequently to take appropriate action in pursuance to the communication dated 09.02.2023 between the respondents 3 to 5 and to inspect in Survey No.91/7, 92/1 in Keelayur, Sirkali (TK), Mayiladuthurai District and to control illegal mining.

For the Petitioner : Mr.C.Iyyapparaj

For the Respondents : Mr.K.Karthik Jagannath
Government Advocate
for respondents 1 to 5

: Mr.P.Muthamizh Selvakumar
for respondent No.6

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.C.Iyyapparaj, learned counsel for the petitioner; Mr.K.Karthik Jagannath, learned Government Advocate for respondents 1 to 5; and, Mr.P.Muthamizh Selvakumar, learned counsel for the sixth respondent.

2. On 5.10.2023, we had passed the following order:

"The status report is filed by the learned State Government Pleader. It is stated that earlier surveys were made and no illegalities were found in the quarry



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activity of respondent No.6. He submits that after the order of this Court, the survey report is not yet received and 15 days time is sought.

Place the matter on 31.10.2023."

3. Today, learned Government Advocate placed on record a fresh status report. Paragraphs 7 to 9 of the status report read thus:

"7. Further, it is humbly submitted that, in the reference 3rd cited above, as per the direction of the Hon'ble High Court, Madras on 25.8.2023, a letter has been addressed to the Revenue Divisional Officer, Sirkazhi and requested to furnish a report before 29.09.2023 along with the detailed survey of quarry pits measurements so as to file the Status report before the Hon'ble High Court, Madras.

8. In this regard, it is humbly submitted that, in the reference 4th cited above, the Revenue Divisional Officer, Sirkazhi has furnished the report along with the detailed survey of quarry pits measurements and stated that, as per the survey report of the Firka Surveyor, Thiruvankadu a quantity of 5604.06 Cubic Meter and 5324.22 Cubic Meter of earth has been quarried from the lease granted S.F.Nos 91/7 and



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92/1A respectively. The Revenue Divisional Officer, Sirkazhi has also stated that, transport permits issued from the Geology and Mining Office is 11190 Cubic Meter of Earth and as per the survey report the quantity of earth quarried from the lease area is 10928.28 Cubic Meter of earth.

9. Finally, The Revenue Divisional Officer, Sirkazhi has concluded that the lessee has quarried earth from the lease area as per the existing Mines Rules in force and there is no violation noticed in the lease area."

4. It has been stated that there are no violations in the lease area.

In view of the same, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

31.10.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

To:



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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

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