



W.P.No.26394 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.26394 of 2023
& WMP.No.25809 of 2023

C.Raman

...Petitioner

-Vs-

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Assistant Director of Geology & Mining,
Office of the District Collector,
Thiruvallur.

3.The Sub Collector,
Ponneri,
Thiruvallur District.

...Respondents

(The third respondent is *suo motu* impleaded
Vide the order of this Court dated 08.09.2023
by NSSJ)

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue necessary bulk permits as well as the despatch slips for the balance quantity of minerals by granting further time to enable the petitioner to complete the quarrying operations of the total quantity of 29997 Cubic



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Meter of ordinary earth in Water Resource Department Lake comprised in Survey No.512/2 (Part) at Old Gummudipoondi Village, Gummudipoondi Taluk, Tiruvallur District, within the time limit as fixed by this Hon'ble Court.

For Petitioner : Mr.M.Muthappan

For R1 to R3 : Mr.M.Bindran, AGP

ORDER

The petitioner submits that he was granted lease for quarrying stones for a period commencing from 19.07.2023 to 01.09.2023 (45 days). However, even during the lease period he was stopped from quarrying from 05.08.2023. He now has filed a representations on 09.07.2023, then on 16.08.2023 followed by another on 28.08.2023 to let the Authorities to issue him bulk permit as well as dispatch slips and also to let him quarry for the remaining left over days within the 45 days.

2.Mr.M.Bindran, learned Additional Government Pleader takes notice for the respondents and he made a preliminary statement on instructions that the petitioner was stopped from quarrying as he had quarried excessively. He also added that the first respondent Vide his proceedings dated



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11.08.2023 has directed the Sub Collector, Ponneri to hold an enquiry into the matter.

3.The learned counsel for the petitioner submitted that the petitioner had partly quarried for about 15 days and the allegation that he had quarried excessively beyond the permitted limit is not correct.

4.This Court, now *suo motu* impleads the Sub Collector, Ponneri as the third respondent.

5.Mr.M.Bindran, learned Additional Government Pleader takes notice for the third respondent.

6.Inasmuch as the petitioner has preferred a representation to the District Collector/first respondent, it is only appropriate that the Sub Collector/third respondent now holds an enquiry on the representations of the petitioner. The Sub Collector/third respondent is also required to provide the petitioner an opportunity of being heard in person and is



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required to take such appropriate decision but, strictly within the framework of law. The entire exercise is required to be concluded within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

08.09.2023

Index : Yes/No
Internet : Yes/No
Tsg

To

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N.SESHASAYEE, J.,



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Order made in
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08.09.2023