



WP No.29028 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM :

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

AND

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

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M.Renganathan

... Petitioner

versus

- 1.The State of Tamil Nadu
rep by its Secretary,
Revenue & Disaster Management Department
Fort St. George, Chennai-09
- 2.The Secretary to the Government
Environment & Forest Department
Fort St. George Chennai-09
- 3.The Secretary to Government
Industries Department Secretariat
Fort St. George Chennai-09
- 4.The Commissioner
Geology & Mining Department
Thiru-vi-ka Industrial Estate
Guindy Chennai-32
- 5.The District Collector
Collectorate Office
Krishnagiri- 635 115



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6.The Tamil Nadu Pollution Control Board
Principal Secretary/ Chairman
(FAC) 76 Mount Salai Guindy Chennai-32

7.P.T.Nagaraja Reddy

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 6 herein to conduct a detailed study and to take suitable action against the 7th respondent for the illegal quarrying done by him.

For the Petitioner : Mr.S.Siva Shanmugam

For the Respondents : Mr.K.M.D.Muhilan,
Additional Government Pleader
for respondents 1 to 5

Mrs.Shanmugavalli Sekar
for the sixth respondent

Mr.V.Sanjeevi,
for the seventh respondent

ORDER

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

We have heard Mr.S.Siva Shanmugam, learned counsel for the petitioner, Mr.K.M.D.Muhilan, learned Additional Government Pleader, for respondents 1 to 5, Mrs.Shanmugavalli Sekar, learned counsel for the sixth respondent and Mr.V.Sanjeevi, learned counsel for the seventh respondent.



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2. Today, learned Additional Government Pleader has filed a report. The relevant part of the same reads thus:

“v. With regard to Government land SF No.10/2 of Bukkasagaram Village quarry lease has been granted in favour of Thiru.Siva Reddy over an extent of 0.95.5 hecets vide District Collector proceedings Rc.No.85/2016/Mines dated 29.05.2017 for a period of 5 years under tender cum auction system and the lease period is valid from 15.06.2017 to 14.06.2022.

vi. The Assistant Geologist and Surveyor (Mines) has inspected subject area on 22.11.2021 and submitted the report stating that, the Ex-lessee has obtained permit for a quantity of 73080cbm in which they have taken excess permit for a quantity of 1071cbm for which the Revenue Divisional Officer, Hosur has levied penalty of Rs.7,22,925/- vide order dated 21.03.2022. against the said order he has filed appeal before the District Collector and personal hearing will be conducted on 19.06.2023 and orders has to be passed accordingly.”

3. On a perusal of the aforesaid, it is clear that the matter is *sub-judice* in appeal before the District Collector.



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4. In light of that, no further orders can be passed in the present writ petition.

5. The writ petition, as such, is disposed of. There will be no order as to costs. Consequently, WMP No.31268 of 2017 is closed.

(S.V.G., C.J.)

(P.D.A., J.)

15.06.2023

Index : yes/no

Neutral Citation : Yes/No

tar



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THE HON'BLE CHIEF JUSTICE
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