



W.P.(MD)No.12484 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.12484 of 2021

and

W.M.P.(MD)No.9778 of 2021

K.Somasundaram

... Petitioner

-VS-

1.The District Collector,
Dindigul District, Dindigul.

2.The Assistant Director of Mines and Minerals,
Mines and Minerals Department,
District Collectorate Complex, Dindigul - 5.

3.The Revenue Divisional Officer,
District Collectorate Complex,
Dindigul - 5.

4.The Tahsildar,
Dindigul Taluk, Dindigul District.

5.Jeyaraman, S/o.Late.Rathinam Pillai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 4 from granting quarry licence to the fifth respondent with regard to the joint family



W.P.(MD)No.12484 of 2021

properties of the petitioner's lands in Survey Nos.264, 267 and 268/1, situated in Kambiliayampatti Village, Dindigul Taluk, Dindigul District, based on the petitioner's representation, dated 01.07.2021.

For Petitioner : Mr.P.Manikandan
For R1 to R4 : Mr.R.Ragavendran
Government Advocate
For R5 : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, forbearing the respondents 1 to 4 from granting quarry licence to the fifth respondent on the ground that the property in question is a joint family property.

2. When the matter was taken up for hearing today, it was brought to the notice of this Court that the suit that was filed by the petitioner in O.S.No. 53 of 2010, before the Principal Subordinate Court, Dindigul, seeking for the relief of partition, was dismissed by judgment and decree, dated 18.11.2022. A copy of the same was also produced before this Court.



W.P.(MD)No.12484 of 2021

3. The learned Government Advocate appearing on behalf of the official respondents based on the counter affidavit filed by the fourth respondent submitted that permission was granted for quarrying of stone only based on the documents that were submitted by the fifth respondent.

4. In the light of the above development, the relief sought for by the petitioner cannot be granted by this Court and accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
smn2

19.10.2023

To

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- 2.The Assistant Director of Mines and Minerals,
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District Collectorate Complex, Dindigul - 5.
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District Collectorate Complex,
Dindigul - 5.



W.P.(MD)No.12484 of 2021

4.The Tahsildar,
Dindigul Taluk, Dindigul District.

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W.P.(MD)No.12484 of 2021

N.ANAND VENKATESH, J.

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