



W.P.(MD)No.16537 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 07.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16537 of 2021

R.S.Kannan

... Petitioner

Vs.

- 1.The Director of Town and Country Planning,
Office of the DTCP,
No.207, Anna Salai,
Chennai.
- 2.The District Collector,
Dindigul District,
Dindigul.
- 3.The Member Secretary,
Dindigul Local Planning Authority,
Dindigul District.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul District.
- 5.The Assistant Director,
Geology and Mining,
District Collectorate,
Dindigul.
- 6.The Tahsildhar,
Dindigul West (Taluk),
Dindigul District.



W.P.(MD)No.16537 of 2021

7. The President,
Palaganoothu Village,
Puthuchathiram Panchayat,
Dindigul West (Taluk),
Dindigul District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents No.1, 3, 7 from granting any planning approval or building permission for any construction / development of any building structure or within 300 meters from the quarrying site in Survey Nos.11/4D (part), 13/2C, Palaganoothu Village, Dindigul West Taluk, Dindigul District and consequently direct the respondents to prevent any illegal construction being made within the said safety distance in the light of Rule 36 (1-A) of the Tamil Nadu Minor Minerals Consession Rules 1959 and the proceedings of the 2nd respondent dated 14.06.2019.

For Petitioner	: Mr.D.Selvanayagam
For R1 to R6	: Mr.S.Jeyapriya Government Advocate
For R7	: Mr.P.Subbaraj

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the official respondents not to grant any planning approval or building permission within 300 meters from the quarrying site that is being run by the petitioner in the light of Rule 36 (1-A) of the Tamil Nadu Minor Mineral Concession Rules, 1959.



W.P.(MD)No.16537 of 2021

2.The learned Government Advocate appearing on behalf of the official respondents submitted that the writ petition has been filed merely on the basis of apprehension without any materials. He further submitted that no planning approval or building permission will be granted within 300 meters from the quarrying site in accordance with the Rules and that no such application has been made before the concerned authority till date.

3.Recording the above, this Writ Petition is disposed of . No costs.

07.11.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
ta

To

1.The Director of Town and Country Planning,
Office of the DTCP,
No.207, Anna Salai,
Chennai.

2.The District Collector,
Dindigul District,
Dindigul.

3.The Member Secretary,
Dindigul Local Planning Authority,
Dindigul District.



WEB COPY



W.P.(MD)No.16537 of 2021

N.ANAND VENKATESH, J.

ta

4.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul District.

5.The Assistant Director,
Geology and Mining,
District Collectorate,
Dindigul.

6.The Tahsildhar,
Dindigul West (Taluk),
Dindigul District.

W.P.(MD)No.16537 of 2021

07.11.2023