



W.P.(MD).No.21113 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**W.P.(MD). No.21113 of 2023
and W.M.P.(MD). No.17514 of 2023**

Karuppu

... Petitioner

Vs.

- 1. The District Collector,
District Collectorate,
Madurai.**
- 2. The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Madurai.**
- 3. The Deputy Director,
Department of Geology and Mining,
Collectorate Campus,
Madurai.**
- 4. The Tahsildar,
Vadipatti Taluk,
Madurai.**

5. Dr. K. Vijayabaskar

...Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action against the illegal quarrying by the 5th respondent in SF. Nos. 64/1B, 64/3B, 64/4A, 64/4B, 64/4C, 64/4D, 64/5A and in petitioner's patta land in SF. No.64/3A located at Kulasekaran Kottai Village, Vadipatti Taluk, Madurai District and consequentially direct the 5th respondent to pay appropriate damages for the hardship caused to the petitioner and for the damage caused to the patta land in SF. No.64/3A based on petitioner's representation dated 27.02.2023.

For Petitioner : Mr. S. Ramanathan

For Respondents : Mr. G.V. Vairam Santhosh
Additional Government Pleader
for R1 to R3
Mr. S. Manohar for R5

ORDER

This Writ Petition has been filed seeking for a direction to the respondents 1 to 4 to take appropriate action against the illegal quarrying being undertaken by the fifth respondent in S.F.Nos.64/1B, 64/3B, 64/4A, 64/4B, 64/4C, 64/4D and 64/5A and in petitioner's patta land in S.F.No.64/3A situated at Kulasekaran Kottai Village, Vadipatti Taluk, Madurai District and to direct the fifth respondent to pay damages caused



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to the petitioner's land in S.F.No.64/3A, based on his representation,
dated 27.02.2023.

2. The case of the petitioner is that the respondent No.5 under the guise of a license which has been obtained by him for conducting quarry in his patta land, has entered into the petitioner's land in S.F.No.64/3A and has also conducted illegal quarry. With this allegation, the petitioner has submitted a representation to the respondents 1 to 4 for taking action against the respondent No.5. However, the respondents 1 to 4 have not taken any action. Therefore, the present Writ Petition has been filed.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 submits that based on the representation of the petitioner dated 15.02.2023, the fourth respondent is intending to conduct survey in the next week.

4. The learned counsel appearing for the fifth respondent submits that the fifth respondent has not conducted any quarry in the petitioner's land in S.F. No.64/3A.



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5. Considering the submission made by the learned Additional Government Pleader appearing for the respondents 1 to 3 and the fact that the fourth respondent is intending to conduct survey based on the representation given by the petitioner on 27.02.2023 in the next week, this Writ Petition is disposed of, with a direction to the respondents 1 to 4 to conduct survey as expeditiously as possible preferably within a period of two weeks from the date of receipt of a copy of this order. While conducting survey, the respondents shall adopt advanced technology. There shall be no order as to costs. Connected miscellaneous petition is closed.

22.09.2023

Index: Yes/No
Internet: Yes/No
ssb

To

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B.PUGALENDHI, J.

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