



W.P(MD)No.24284 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.24284 of 2022

and

W.M.P(MD)Nos.19241 & 19242 of 2022

Vellaisamy

... Petitioner

Vs

- 1.The Secretary to Government,
Public Works Department,
Secretariat,
Chennai.
- 2.The Commissioner of Geology and Mining,
Guindy,
Chennai-32.
- 3.The District Collector,
Virudhunagar District,
Virudhunagar.
- 4.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
- 5.The Assistant Director of Geology and Mining,
Virudhunagar District,
Virudhunagar.



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6.The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

7.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

8.The Inspector of Police,
Aviyur Police Station,
Virudhunagar District.

9.Sivabalan

10.Boominathan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to take effective steps to prevent the illegal sand Mining from the lands comprised in Sand Mining taking in Survey 71/4, 82/1, 82/5, 72/2B, 71/3, 72/3, 82/2, 72/1A, 72/4, 72/2A, 156, 5/1, 57/4, 57/5, 7/6, 65, 66, 70/2, 58, 59, 63 & 64 situated at Nasarpuliyankulam Village, kariyapatti Taluk, Virudhunagar District without got permission by considering the petitioner's representation dated 11.10.2022.

For Petitioner	:Mr.C.Suresh Kannan
For R1 to R6	:Mr.G.V.Vairam Santhosh Additional Govt. Pleader
For R7 & R8	:Mr.P.Kottaichamy Government Advocate
For R10	:Mr.T.Palanisamy
For R9	: No appearance



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ORDER

The petitioner has filed this writ petition for a mandamus seeking to conduct an enquiry as against the 10th respondent that he is conducting illegal quarry in the adjacent lands.

2. Now, the learned counsel for the petitioner came to know through the counter affidavit that the 10th respondent was provided with license by the authorities concerned by conducting red sand quarry in the survey Nos.71/4, 82/1, 82/5, 72/2B, 71/3, 72/3, 82/2, 72/1A, 72/4, 72/2A, 156, 5/1, 57/4, 57/5, 7/6, 65, 66, 70/2, 58, 59, 63 & 64. The learned counsel for the petitioner still insisting that by using this licence, the 10th respondent has conducted the quarry beyond the permitted area.

3. This Court considered the rival submissions made.

4. The petitioner has filed this writ petition without even ascertaining whether the official respondents have granted any quarry licence in favour of the 10th respondent and now, making an allegation



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that the 10th respondent conducting quarry beyond the permitted area.

The petitioner has not substantiated his case. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

NCC : Yes / No.

Index : Yes / No.

Internet:Yes

am

15.09.2023

To

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B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.24284 of 2022

15.09.2023