



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 21.11.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**AND**

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**W.P.(MD)No.27137 of 2023 AND**  
**W.M.P.(MD)No.23294 of 2023**

1. Rengarajan
2. L.Sankar

... Petitioners

Vs.

1. The District Collector,  
Virudhunagar District.
2. The Tahsildar,  
Rajapalayam Taluk, Virudhunagar District.
3. The Deputy Director of Mines,  
Geology and Mining Department,  
Virudhunagar,  
Virudhunagar District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the proceeding of the impugned memorandum in Na.Ka.A6/7124/2023 dated 12.09.2023 passed by 2<sup>nd</sup> respondent and quash the same as illegal and consequently directing the 1<sup>st</sup> respondent to pay compensation to the petitioners and transporting illegal mining by the 2<sup>nd</sup> respondent from Perumalkovil Oorani in



Sy.No.410/13 adjacent to Perumalkovil is situated at Sy. No.410/14.

For Petitioner : Mr.K.Muralidharan

For Respondents : Mr.K.Balasubramani,  
Special Government Pleader.

\* \* \*

### **ORDER**

Heard both sides.

2. What is under challenge is a mere memo issued against the petitioners proposing action for the reason that they have committed encroachment in the petition-mentioned water-body. At this stage, the petitioner's rights have not been infringed.

3. The petitioners are granted two more weeks time from today to offer their explanation. The Tahsildar, Rajapalayam will pass final order on merits and in accordance with law after taking into account the petitioner's explanation. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)**  
**21<sup>st</sup> November 2023**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No



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**AND**

**B.PUGALENDHI, J.**

PMU

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