



WEB COPY

W.P.No.20669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.20669 of 2023

K.Dhatchayani

.. Petitioner

VS

1.The District Collector
Tiruvallur District – 602 001.

2.The Assistant Director (Mines),
Department of Geology and Mining,
Tiruvallur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to inspect and ascertain the quantum of illegally removed mineral and take appropriate action for illicit transportation of sand from property comprised in S.Nos. 133/1 (2 acres and 16 cents) & 133/2A (24 cents) situated at Chembarambakkam Village, Poonamallee Taluk, Thiruvallur District by considering petitioner's representation dated 15.03.2023 within the time stipulated by this Court.

For Petitioner : Mr.AR.Balaji

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader



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ORDER

This matter is listed today under the caption 'for clarification'. After hearing the parties, order dated 04.06.2024 is recalled and order is passed afresh.

2. This writ petition has been filed seeking a writ of mandamus directing the respondents to inspect and ascertain the quantum of illegally removed mineral and take appropriate action for illicit transportation of sand from the property in S.Nos.133/1 (2 Acres 16 cents) and 133/2A (24 cents) at Chembarambakkam Village, Poonamallee Taluk, Tiruvallur District ('land'/'land in question').

3. The petitioner has made a representation dated 15.03.2023 echoing the above prayer. The respondents were asked to file a status report and status report filed on 24.08.2023 states that the inspection conducted by the District Collector, Tiruvallur District/R1 reveals illicit mining of earth.

4. The inspection was jointly conducted by the Assistant Geologist, Deputy Tahsildar, Tiruvallur, Revenue Inspector, Department of Geology and Mining, Tiruvallur, Tahsildar, Poonamallee Taluk and Village Administrative Officer, Chembarambakkam village on



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08.08.2023. The writ petitioner is also stated to have been present during the inspection.

5. R1 has also stated that legal action was taken as against the owner of the land in question. Today, when the matter was taken up, learned Additional Government Pleader has obtained instructions about the present status circumstances of the matter.

6. The Assistant Director, Geology and Mining, Tiruvallur has stated that the Revenue Divisional Officer, Tiruvallur has been directed to take necessary action for the illegal removal of earth and the process is on-going. They have undertaken that the process will be completed within a period of four (4) weeks from date of receipt of a copy of this order and this is recorded.

7. Prior thereto, notices will be issued to the petitioner as well as to the owner of the land in question in line with the principles of natural justice.

8. In light of the above, no further orders are required in this writ petition and the same is closed. No costs.

07.06.2024

Index:Yes/No
Neutral Citation:Yes
Speaking Order:Yes
mpl/vs



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DR. ANITA SUMANTH,J.

mpl/vs

To

- 1.The District Collector
Tiruvallur District – 602 001.
- 2.The Assistant Director (Mines),
Department of Geology and Mining,
Tiruvallur District.

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