



W.P.No.22708 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22708 of 2022

Rahman Sheriff

...Petitioner

-Vs-

1. The Director,
Geology & Mining Department,
Thiru.Vi.Ka.Industrial Estate,
Guindy,
Chennai – 600 032.
2. The District Collector,
Krishnagiri District,
Krishnagiri.
3. The Assistant Director,
(Minerals)
Geology & Mining Department,
Collectorate,
Krishnagiri.
4. The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No. 149A, 1st Floor,
Dharga,
SIPCOT – 635 126,
Krishnagiri District.
5. The Tahsildar,
Shoolagiri Taluk,
Krishnagiri District.



W.P.No.22708 of 2022

6. M/s.Aro Granite Industries Limited,
Sappadi Village,
Kamanthotti Post,
Shoolagiri Taluk,
Krishnagiri District.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 5 herein to take necessary action against the sixth respondent herein by considering his representation dated 06.06.2022 sent for taking action for dumping Granite Waste in the vicinity of the petitioner's Agricultural Lands in S.F.Nos.1210/2C, 1211/5 situate at Kamanthothi Village, Shoolagiri Taluk, Krishnagiri District, in accordance with law and within a stipulated period.

For Petitioner : Mr.T.Vedi

For R1 to R3 & R5 : Mr.E.Vijay Anand
Additional Government Pleader

For R4 : Mrs.Shanmugavalli Sekar

For R6 : Mr.K.Vaitheeswaran

ORDER

This writ petition has been filed for direction directing the respondents 1 to 5 herein to take appropriate action as against the 6th respondent herein for dumping granite waste in the vicinity of the petitioner's agricultural land.



W.P.No.22708 of 2022

2. Heard the learned counsel on either side and perused the materials

available on record.

3. The petitioner owned agricultural lands ad-measuring 0.86 acres, 1.36 acres and 0.74 acres comprised in S.F.Nos.1210/2C, 1211/4C and 1211/5 situated at Kamanthotthi Village, Shoolagiri Taluk, Krishnagiri District. The petitioner is carrying on agricultural activities in the said land. While being so, the 6th respondent owned lands comprised in S.F.Nos.1988, 1290 situated near the petitioner's agricultural lands, ad-measuring 10 acres. The 6th respondent is doing granite business and dumping waste in their patta land as well as in the grazing lands and Government poromboke lands. During rain, the granite waste dissolves in the rain water and flows into the petitioner's land. Therefore, the utility of the said land is affected and no crops are growing properly, thereby yield is decreasing and cause huge loss to the petitioner. Therefore, the petitioner submitted a representation before the respondents 1 to 5 herein, to take appropriate action as against the 6th respondent.

4. On receipt of the said complaint, the fourth respondent issued a show cause notice to the 6th respondent dated 18.04.2024 by mentioning the violations for non removal of granite waste.



W.P.No.22708 of 2022

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5. The learned counsel for the first respondent also submitted that on receipt of the complaint from the petitioner, the fifth respondent was directed to inspect the 6th respondent Unit to take appropriate action.

6. In view of the above, the first and fourth respondents are directed to conduct an enquiry on receipt of the explanation to be submitted by the 6th respondent and pass appropriate orders on merits and in accordance with law, within period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

22.04.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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W.P.No.22708 of 2022

To
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W.P.No.22708 of 2022

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W.P.No.22708 of 2022

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