



WEB COPY



WP No.24490 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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G.Senthamizhselvan

: Petitioner

versus

1. The Secretary,
Government of Tamilnadu,
Secretariat, Chennai 600 009.

2. The Revenue Department,
Secretariat, Chennai 600 009.

3. The District Collector, Ariyalur District 621 704.

4. The Revenue Divisional Officer (RDO),
Udaiyarpalayam, Ariyalur District 621 804.

5. The Tahsildar,
Jayamkondam, Ariyalur 621 802.

6. The Public Works Department (PWD),
Jayamkondam, Ariyalur 621 802.

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents based on the representation given by the petitioner on 28.9.2021 to stop the illegal mining of red sand and gravel at the village pond.

For Petitioner	:	No appearance
For Respondents	:	Mr.K.Karthik Jagannath, Government Advocate



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ORDER

(Made by the Hon'ble Chief Justice)

None appeared for the petitioner. We have heard Mr.K.Karthik Jagannath, learned Government Advocate, appearing for the respondents.

2. The writ petition is filed seeking direction against the respondents to stop illegal mining of red sand and gravel at the village pond.

3. Counter-affidavit is filed by the District Collector, Ariyalur District. As per the counter-affidavit, Assistant Director, Panchayat, Ariyalur, has submitted a report dated 07.12.2021, asserting that red sand was removed from the pond during the year 2018-19 by the local villagers for the construction of village temple and other public purpose. The third respondent has issued suitable direction to the revenue officials and Assistant Director, Geology and Mining, to keep constant vigil to prevent any kind of illegal quarrying in the subject pond. Instructions are also given by the third respondent to the District Level Task Force and Taluk Level Task Force, constituted pursuant to the order in WP (MD) No.9806/2018, to conduct surprise inspection from time to time to prevent illegal quarrying of red sand. The affidavit further states that the representation of the petitioner did not contain any details as to the illegal quarrying activities committed by the local villagers. If the petitioner provides any particulars or



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details as to the miscreants involved in the illegal quarrying activity, the competent authority under Mines and Minerals (Development and Regulation) Act, 1957 and Tamil Nadu Minor Minerals Concession Rules, 1959 would be directed to initiate appropriate prosecution and penal proceedings under Rule 36(A).

4. In light of the counter-affidavit filed, the grievance of the petitioner is addressed.

5. If the petitioner comes across illegal mining, then, the petitioner may approach the authority as stated in the counter-affidavit. The authority shall consider the same.

6. The writ petition stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

16.02.2024

Index : Yes/No
Neutral Citation : Yes/No
tar

To
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