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W.P.No.29128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.29128 of 2024
and W.M.P.No.31804 of 2024**

Mettupatti Boyarkal Kal Ottarkal
Kal Udaippor Nala Sangam
Rep.by its President R.Murugan,
212, Boyar Street,
Mettupatti,
Vazhapadi Taluk,
Salem District.
Petitioner

...

Vs.

- 1.The District Collector,
Collectorate,
Salem-637 001,
Salem District.
- 2.The Deputy Director,
(Geology and Mines),
Collectorate,
Salem,
Salem District.
- 3.The Revenue Tahsildar,
Vazhapadi Taluk,
Salem District.



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4.The Inspector of Police,
Vazhapadi Police Station,
Salem District.

5.Shanmugam

6.Nainamalai
....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to ensure safety and security to the members of the petitioner Sangam to carry on manual quarrying work in S.F.No.36/1 (1.00.0 Hec), Thekkalpatti Village, Vazhapadi Taluk, Salem District, pursuant to the lease order dated 30.07.2024 made in Na.Ka.No.1055/2019/Minerals/A passed by the second respondent, during the currency of the lease under the lease deed dated 30.07.2024 (Doc.No.4254/2024) executed by the second respondent, by considering the representation dated 30.08.2024.

For Petitioner	:	Mr.P.Vijayakumar
For Respondents	:	Mr.Vijay Anand Additional Government Pleader for R1 to R3 Mr.L.Baskaran, Government Advocate (Crl.side) for R4

ORDER

This Writ Petition has been filed to direct the respondents 1 to 4 to ensure the safety and security of the members of the petitioner Sangam to



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carry on manual quarrying work in S.F.No.36/1 (1.00.0 Hec), Thekkalpatti Village, Vazhapadi Taluk, Salem District, pursuant to the lease order dated 30.07.2024 made in Na.Ka.No.1055/2019/Minerals/A by the second respondent, during the currency of the lease under the lease deed dated 30.07.2024 (Doc.No.4254/2024) executed by the second respondent, by considering the representation dated 30.08.2024.

2. The case of the petitioner is that the second respondent has granted quarry lease order dated 30.07.2024 in favour of the petitioner Sangam for quarrying rough stones in S.F.No.36/1 (1.00.0 Hec), Thekkalpatti Village, Vazhapadi Taluk, Salem District, for a period of five years, however, the private respondents are preventing the petitioner Sangam from carrying on the work, and therefore, the petitioner made representations before the respondents 1 to 4 on 30.08.2024, however, no action has been taken. Therefore, the present petition has been filed.

3. The learned counsel appearing for the petitioner would submit



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that it would suffice, if the second respondent is directed to conduct enquiry in the representation made by the petitioner dated 30.08.2024 and pass appropriate orders, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3 has no serious objection for such an order being passed by this Court.

5. The learned Government Advocate (Crl.side) appearing for the fourth respondent submits that in respect of the complaint made before the fourth respondent Police, the enquiry was conducted and it was closed.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to conduct enquiry between the petitioner and the private respondents and pass appropriate orders in the representation made



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by the petitioner dated 30.08.2024, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

01.10.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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M.DHANDAPANI, J.

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