



W.P.No.30403 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30403 of 2024

S.Perumal

... Petitioner

Vs.

- 1.The District Collector,
Tirupathur, Tirupathur District.
- 2.The Taluk Level Task Force Committee,
Natarampalli, Tirupathur District.
- 3.The Revenue Divisional Officer,
Tirupathur District.
- 4.The Assistant Director,
Geology and Mines,
District Collectorate,
Vellore, Vellore District.
- 5.The Block Development Officer,
Office of the Block Development Officer,
Natarampalli.
- 6.The Thasildar,
Office of the Thasildar,
Natarampalli.



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7.Sathishkumar

....Respondents

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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first and third respondents to recover the amount for a sum of Rs.10,74,000/- as per the order of the third respondent in proceedings No.RDO/TPT/284/2024-A1 dated 12.03.2024 as fine amount for illegal mining in his patta land in Survey No.289/2C to an extent of 0.32 cents and further direct them to dispose of the representation of the petitioner dated 01.07.2024.

For Petitioner	:	Mr.M.Rajasekhar
For Respondents	:	Mr.E.Vijay Anand Additional Government Pleader for R1, R4 and R6 Mr.C.Sathish Government Advocate for R5

ORDER

This Writ Petition has been filed to direct the first and third respondents to recover a sum of Rs.10,74,000/- from the seventh respondent as per the proceedings dated 12.03.2024 of the third respondent in No.RDO/TPT/284/2024-A1 as fine amount for illegal mining in his patta land in Survey No.289/2C measuring to an extent of 0.32 cents and dispose of the representation of the petitioner dated 01.07.2024.



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2. The case of the petitioner is that the petitioner is in possession of the property in Survey No.289/2C and the respondent No.7 has been allowed to deslit the Government lake situated adjacent to the petitioner's property. Taking advantage of the same, the respondent No.7 illegally encroached and removed the sand in 10 cents in the petitioner's land and sold it to third parties. Therefore, the third respondent, vide proceedings dated 12.03.2024 in No.RDO/TPT/284/2024-A1, imposed a fine amount of Rs.10,74,000/- on the seventh respondent for having illegally removed the sand in the self-acquired property of the petitioner and directed him to pay the fine amount within a period of 60 days from the date of order, failing which, 24% interest will be imposed for the said amount for every year. Based on the same, the petitioner made a representation on 01.07.2024 before the third respondent to recover the aforesaid fine amount from the seventh respondent, however, the same has not been considered. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would submit that it would suffice, if this Court directs the first and third respondents to implement the proceedings in No.RDO/TPT/284/2024-A1 dated 12.03.2024.

4. The learned Additional Government Pleader appearing for the respondent Nos.1 to 4 and 6 and the learned Government Advocate for the fifth respondent have no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first and third respondents to implement the proceedings in No.RDO/TPT/284/2024-A1 dated 12.03.2024, within a period of four weeks from the date of receipt of a copy of this order, if there is no legal impediment.



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6. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

17.10.2024

NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No

ssb



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To

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M.DHANDAPANI, J.

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