



W.P.(MD).No.15947 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.15947 of 2018

and

W.M.P.(MD)Nos.14245 & 14246 of 2018

Sundarraaj.

... Petitioner

VS

1.The Additional Chief Secretary,
Government of Tamilnadu,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The Commissioner of Geology and Mining,
Guindy, Chennai.

3.The District Collector,
Tirunelveli.

4.The Deputy Director of Geology and Minint,
Tirunelveli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the first respondent in G.O.(D)No.47, Industries



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(MMC.1) Department, dated 28.03.2018 and quash the same as illegal and consequently direct the respondents to permit the petitioner to transport the 55 units of sand from the petitioner's stockyard situated in Survey Field No. 861/11B, Keela Surandai Village, Veerakelampudur Taluk, Tirunelveli District by issuing valid transit.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader for R1 to R4

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent in G.O.(D)No.47, Industries (MMC.1) Department, dated 28.03.2018 and quash the same as illegal and consequently direct the respondents to permit the petitioner to transport 55 units of sand from the petitioner's stockyard situated in Survey Field No.861/11B, Keela Surandai Village, Veerakelampudur Taluk, Tirunelveli District by issuing valid transit.

2. However, now the petitioner does not proceed with this Writ Petition and seek direction to use the river sand, which was transported and stored by the petitioner in his premises.

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3. Admittedly, the petitioner purchased the river sand after obtaining valid receipt from the concerned department and transported the same. Therefore, the petitioner is permitted to use the sand, which is now kept in the petitioner's premises for his own use.

4. With above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10.12.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

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