



WP(MD). No.24533 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 29/02/2024

CORAM

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

and

THE HON'BLE MR.JUSTICE P.DHANABAL

WP(MD). No.24533 of 2018

Mathiyalagan

... Petitioner

v.

**1. The District Collector,,
Pudukkottai District
Pudukkottai..**

**2. The Tamil Nadu Pollution,
Control Board, No.76,
Anna Salai,
Guindy,
Chennai..**

**3. The District Environmental,
Engineer, Tamil Nadu Pollution Control Board,
Sipcot Factory Campus,
Sipcot Post,
Pudukkottai.**

**4. The Assistant Director,,
Mines Department, District Collector
Office Campus,
Pudukkottai.**



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5. Punitha Arocia Annai Crusher,
@, R.R.Crusher,
Rep. by its Owner,
R.R.Rasu,
Valayanvayal Village,
Thoolayanoor Panchayat, Tirumayam Taluk,
Pudukkottai District.

... Respondents

PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to take immediate steps for close and sealing the 5th respondent's quarry situated at Sandhana Viduthi village, Thoolayanoor Panchayat, Thirumayam Taluk, Pudukkottai Dist, by consider the representation dated 27.08.2018.

For Petitioner : M/s.Veera Manikandan

For Respondent : Mr.T.Amjad Khan for R1 to R4
Government Advocate
Mrs.Vijayakumari Natarajan
for R2 & R3
No appearance for R5

ORDER

**[Order of the Court was made by
The Hon'ble The CHIEF JUSTICE]**

Heard the learned counsel for the petitioner, learned Government Advocate for the respondents 1 to 4 and learned counsel for the respondents 2 and 3.

2/5



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2.The petitioner seeks direction against the authorities to seal the 5th respondent quarry situated at Sandhana Viduthi Village, Thoolayanoor Panchayat, Thirumayam Taluk, Pudukkottai District.

3.The learned Advocate for the Pollution Control Board submits that when the inspection was made, it is observed that respondent No.5 have taken all measures and now consent to operate has been renewed upto the year 2026.

4. In light of that, as consent to operate has already been issued, prohibitory orders cannot be passed against the respondent No.5 as sought for by the petitioner.

5. The learned counsel for the petitioner submits that there are additional grounds raised in the additional affidavit. The water course has been blocked. In that case, the petitioner shall approach the appropriate authority. In case, the petitioner files a representation in that regard, the authority may consider the said representation on its own merits.



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WEB COPY 6. The Writ Petition accordingly stands disposed of.

However, there shall be no order as to costs.

[S.V.G., CJ.]

[P.D.B., J.]

29.02.2024

NCC : Yes/No
Index : Yes/No
RR

TO

1. The District Collector,,
Pudukkottai District Pudukkottai..
2. The Tamil Nadu Pollution,
Control Board, No.76, Anna Salai,
Guindy, Chennai..
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sipcot Factory Campus, Sipcot Post,
Pudukkottai..
4. The Assistant Director,,
Mines Department, District Collector
Office Campus, Pudukkottai..



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THE HON'BLE THE CHIEF JUSTICE
and
P.DHANABAL, J.

RR

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