



W.P.(MD) No.4414 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR.D.KRISHNAKUMAR,

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4414 of 2016

and

W.M.P.(MD)Nos.3963 to 3965 of 2016

Irrigation Association,

Thanichiyam Panchayat,

Represented by its President,

A.Ammasi,

S/o.Ariyappan,

T.Krishnapuram,

Valinokkam Post,

Kadaladi Taluk,

Ramanathapuram District.

... Petitioner

-Vs-

1.The District Collector,

Office of the District Collectorate Campus,

Ramanathapuram District.



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2.Karuppasamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.1065/G & M.2/2014 dated 03.12.2015 on the file of the first respondent and quash the same as illegal and consequently direct the first respondent to protect the Thanichiyam Lake from illegal quarrying based upon the petitioner's representation dated 22.02.2016, within the time frame as fixed by this Court.

For Petitioner : Mr.Karthick Subramanian
For R1 : Mr.P.Thilak Kumar,
Government Pleader
For R2 : No appearance

ORDER

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

The prayer sought for in this Writ Petition is for a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No. 1065/G & M.2/2014 dated 03.12.2015, on the file of the first respondent and to quash the same and for a consequential direction to the first respondent to protect



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the Thanichiyam Lake from illegal quarrying based upon the petitioner's representation dated 22.02.2016.

2.As against the permission granted to the second respondent for quarrying operation, the petitioner association has filed the present Writ Petition. This Court, vide order dated 04.03.2016, has directed the Assistant Director of mines, within whose jurisdiction the subject site is located, to conduct an inspection of the site with reference to the allegation of the petitioner association and to file a report.

3.Now, when the matter is taken up for final disposal, the inspection report is filed before this Court, which states that the allegation of the petitioner association has not been proved and no illegal quarrying is found in the Tahnichiyam Lake. This Inspection Report is taken on record.

4.Recording the said inspection report and also considering the fact the period for which quarrying license has been granted is over by now, this Writ Petition has become infructuous and therefore, nothing survives for further adjudication.



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5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., A.C.J.] & [R.V., J.]

26.07.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

MR



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To
The District Collector,
Office of the District Collectorate Campus,
Ramanathapuram District.



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D.KRISHNAKUMAR, A.C.J.

AND

R.VIJAYAKUMAR, J.

MR

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