



W.P(MD)No.25989 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2024

CORAM :

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.25989 of 2022
and
W.M.P(MD)No.20137 of 2022**

John Rose

... Petitioner

vs.

1. The District Collector,
Kanyakumari District,
At Nagercoil.

2. The Revenue Divisional Officer (Sub-Collector),
Padmanabhapuram,
Kanyakumari District.

3.The Assistant Director (Mines & Minerals),
Collectorate,
Nagercoil,
Kanyakumari District.

4.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to stop the illegal quarrying at Survey Nos.409/4A5A, 409/4A5B, 409/4A5D, 408/1A, 351, 408/1B, 408/1C and 107 of Nattalam Village,



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Vilavancode Taluk, Kanyakumari District and consequently direct the respondents to take necessary action for the illegal quarrying by considering the representation of the petitioner dated 11.10.2022.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.P.Thilakkumar, Government Pleader

ORDER

R.MAHADEVAN, A.C.J.
AND
G.R.SWAMINATHAN, J.

Heard both sides.

2. In view of the order made in W.P(MD)No.2367 of 2024, no further order is required in this writ petition. However, since the present petitioner is also on the same page as the petitioner in W.P(MD)No.2367 of 2024, it is open to him to participate in the enquiry to be conducted by the District Collector, Kanyakumari District. In normal circumstances, the issue will be one between the competent authority and the noticee. In this case, since Tr.Paulraj and Tr.John Rose have taken the initiative and also filed writ petitions in public interest, they are permitted to participate in the enquiry and



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place materials before the District Collector in support of their allegations. They shall be examined and their statements be recorded by the District Collector.

3. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D., A.C.J.] & [G.R.S., J.]
19.06.2024
(2/2)

Index : Yes / No
Neutral Citation : Yes / No
bala

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