



WP(MD). No.19865 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 26/02/2024

CORAM

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

and

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**WP(MD). No.19865 of 2017
and WMP(MD) No.16142 of 2017**

P.Selvam

... Petitioner

Vs

**1. Government of Tamil Nadu,,
Rep. by Principal Secretary,
Department of Geology and Mining,
Secretariat, Fort St, George, Chennai..**

**2. The Commissioner of Geology and Mining,
Department of Geology and Mining,
Thiru. V.Ka.Industries Estate,
Guindy, Chennai - 600 032..**

**3. The Assistant Directorate of Geology and Mining,
O/o.Assistant Directorate of Geology and Mining,
Theni District Theni..**

**4. The District Collector,
O/o. District Collector,
Theni District, Theni..**

5.Paul Pandi

6.Natranjan,

... Respondents

1/5



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct Respondent Nos. 3 and 4 to forbear the respondent No.5 and 6 from removing of sand in survey Nos.309/2 and 271/5 in extent of 2.250 and 0.25.00 hectares in Periyar Odai (Jungle Street) in Thevaram Village, Theni Dist within the time stipulated by this Court.

For Petitioner : M/s.S.Rajasekar for

M/s.Lajapathi Roy Associates

For Respondent : Mr.N.Satheeshkumar for R1 to R4

Additional Government Pleader

Mr.R.Manickam for R6

Mr.N.Thamimul Ansari

ORDER

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

We have heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 to 4 and the learned counsel for the respondents 5 and 6, who are removing the sand from S.No.309/2 and 271/5 in Periyar Odai, Thevaram Village.

2. The learned counsel submits that this Court had directed the respondent authorities to file a status report.

3. We have heard the learned Additional Government Pleader.



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4. A status report has been filed by the third respondent. As per the said status report, it is stated that a joint inspection was conducted by the Tahsildar, Uthammapalayam, Zonal Deputy Tahsildar, Cumbum, Revenue Inspector (Mines) and Village Administrative Officer, Thevaram on 20.09.2022. During the inspection, it is found that S.No. 309/2 was a flat and no illegal quarrying activity was noticed. S.No. 271/5 is a old pit. The office records of the Assistant Director of Geology and Mining, Theni, were perused and ascertained that the permission was granted to S.Kumaresan, S/o.Sankar Pillai to remove 900 cbm or 300 units of soil in S.No.271/5, which is not fit for agricultural purpose for a period of 15 days. The petitioner was also directed to appear, but he did not remain present on 20.09.2022.

5. In view of the status report, no case is made out. The writ petition is dismissed. However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

[S.V.G., CJ.]

[G.I., J.]

26.02.2024

NCC : Yes/No
Index : Yes/No
RR



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And Mining, Department of Geology and
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Guindy, Chennai - 600 032..
3. The Assistant Directorate Of,
Geology and Mining, O/o.Assistant
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Theni District Theni..
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G.ILANGO VAN, J.

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