



W.P.No.33135 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2025

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.33135 of 2025

&

W.M.P.No.37222 of 2025

Jayaprakash

..

Petitioner

Vs.

1. State of Tamil Nadu
Rep. by its Secretary to Government
Revenue Department
Fort St. George
Chennai 600 009.
2. The Secretary to Government
Public Works Department
Fort St. George
Chennai 600 009.
3. The Secretary to Government
Geology & Mining Department
Fort St. George
Chennai 600 009.
4. The District Collector
Office of the District Collector
Chengalpattu District
Chengalpattu 603 001.



W.P.No.33135 of 2025

WEB COPY

5. The Revenue Divisional Officer
Chengalpattu
Chengalpattu 603 001.
6. Assistant Director
Geology & Mining Department
Chengalpattu.
7. Executive Engineer
Water Resource Department
Lower Palar Basin Division
Kanchipuram.
8. The Tahsildar
Vandalur Taluk
Chengalpattu District.
9. The Village Administrative Officer
Guduvancherry Firka
Vandalur Taluk
Chengalpattu District.
10. The Revenue Inspector
Guduvancherry
Vandalur Taluk
Chengalpattu District.
11. The Panchayat President
Kumizhi Panchayat
Vandalur Taluk
Chengalpattu District.
12. ESP & Co.
Rep. by its Manager
No.107, 2nd Street
North Sanjay Gandhi Nagar
Pallavaram, Chennai 600 043.

.. Respondents



W.P.No.33135 of 2025

WEB COPY

Prayer : Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 1st to 3rd respondents to restrain the 12th respondent or any other private persons from removing soil/mud/red sand from the Othivakkam Lake in S.No.51 situated at Vandalur Taluk, Chengalpattu District and to safeguard the ecosystem of Othivakkam Lake in S.No.51 situated at Vandalur Taluk, Chengalpet District.

For Petitioner : Mr.M.Jai Kumar

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader
for Respondents 1 to 11

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

This petition has been filed seeking to challenge removal of soil/mud/red sand from a place, which is alleged to be lake, situated in S.No.51 at Vandalur Taluk, Chengalpet District.

2. At the outset, learned counsel for official respondents, on instructions and on the basis of communication dated 01.09.2025



W.P.No.33135 of 2025

WEB COPY

addressed to him by the Assistant Director, Department of Geology and Mining, Chengalpattu, would submit that a private contractor has been granted permission for removal of 10000 cubic meter of ordinary earth, vide letter dated 10.10.2023 of the Assistant Geologist (G&M), Chengalpattu. The Revenue Divisional Officer, Tambaram has also recommended for grant of permission to quarry 10000 cubic meter in the area demarked by the Executive Engineer of Water Resource Department.

3. It is also submitted that permission was granted to M/s. ESP & Co to remove 10000 cubic meter of earth from SF No.51(P) (Othivakkam Tank) of Othivakkam Village, Vandalur Taluk, Chengalpattu District, only after receipt of statutory permissions/approvals from the competent authority and on collection of seigniorage fee. Various approvals include environmental clearance certificate issued by the State Level Environment Impact Assessment Authority, Saidapet, Chennai vide EC Identification No.EC25C0108TN5487454N dated 01.06.2025.



W.P.No.33135 of 2025

WEB COPY

4. Petition lacks information and collection of necessary details and has been filed without proper research. In the absence of any challenge to various statutory permissions, including environmental clearances granted by statutory authorities under law, petition, in the present innocuous form, is not maintainable.

5. Hon'ble Supreme Court and this Court have been repeatedly observing that public interest litigations are being filed without proper research and collection of details. Petitioner did not make any attempt to collect all these information, which have now been disclosed by the official respondents, and has straightaway filed this petition.

6. Moreover, once environmental clearance is granted by the State Level Environmental Impact Assessment Authority, it could be challenged by filing petition before the National Green Tribunal as provided under Section 16(h) of the National Green Tribunal Act, 2010.



W.P.No.33135 of 2025

WEB COPY

7. In view of the above consideration and that petitioner has remedy before the National Green Tribunal, which has been constituted for the very purpose of examining the validity of such clearances granted, we are not inclined to entertain this petition.

8. Petition is, therefore, dismissed with liberty to petitioner to approach the National Green Tribunal. There shall be no order as to costs. Consequently, the interim application is also dismissed.

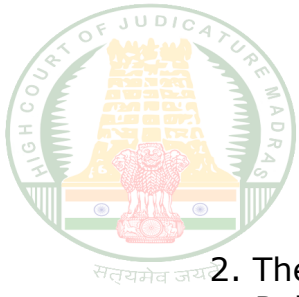
(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
02.09.2025

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Secretary to Government
Revenue Department
Fort St. George, Chennai 600 009.



W.P.No.33135 of 2025

WEB COPY

2. The Secretary to Government
Public Works Department
Fort St. George, Chennai 600 009.
3. The Secretary to Government
Geology & Mining Department
Fort St. George, Chennai 600 009.
4. The District Collector
Office of the District Collector
Chengalpattu District, Chengalpattu 603 001.
5. The Revenue Divisional Officer
Chengalpattu, Chengalpattu 603 001.
6. Assistant Director
Geology & Mining Department
Chengalpattu.
7. Executive Engineer
Water Resource Department
Lower Palar Basin Division
Kanchipuram.
8. The Tahsildar
Vandalur Taluk
Chengalpattu District.
9. The Village Administrative Officer
Guduvancherry Firka
Vandalur Taluk, Chengalpattu District.
10. The Revenue Inspector
Guduvancherry, Vandalur Taluk
Chengalpattu District.
11. The Panchayat President
Kumizhi Panchayat
Vandalur Taluk, Chengalpattu District.



WEB COPY



W.P.No.33135 of 2025

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(kpl)

W.P.No.33135 of 2025

02.09.2025