



W.P.(MD).No.876 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.876 of 2025

R.Ravi

... Petitioner

Vs.

1.The Assistant Director,
Geology and Mining Department,
Dindigul District.

2.District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Dindigul District.

3.Harini Blue Metals,
Proprietor Elango,
S/o.Rajagopal,Thennampatti Village,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 and 2 to take appropriate legal action and stop the illegal quarrying of the 3rd respondent and further seal the premises comprised in the aforementioned survey numbers.

For Petitioner : Mr.Arun Kumaar

For R-1 & R-2 : Mr.P.Thilak Kumar

Government Pleader



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For R-3 : Mr.C.Prithviraj

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ORDER

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed for a Mandamus, directing the respondents 1 and 2 to take appropriate legal action and stop the illegal quarrying of the 3rd respondent and further seal the premises.

3. The petitioner herein had given a representation to the official respondents on 07.12.2022 to take appropriate action for the illegal quarrying of the third respondent. Since the said representation was not considered, the present Writ Petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty



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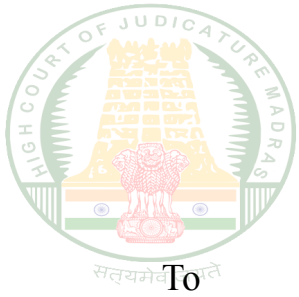
and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 07.12.2022, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the third respondent herein, as well as all other persons, who may be interested in the subject matter, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

(M.S.R.,J.) (A.D.M.C.,J.)
10.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm



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To

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M.S.RAMESH,J.
and
A.D.MARIA CLETE,J.

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