



W.P.(MD)No.29948 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.29948 of 2024
and
W.M.P.(MD)Nos.25229 & 25232 of 2024

1.P.Mahamuni

2.R.Veeramani

3.A.Kumaravel

... Petitioners

Vs.

1.The Tamil Nadu Represented by
its Principal Secretary,
Home Department,
Fort St.George,
Secretariat, Chennai-600 009.

2.The District Collector,
Collectorate, Madurai-625 020.

3.The Assistant Director of Mines,
Collectorate, Madurai-625 020.

4.The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Periyar Vaigai Basin Circle,
Madurai Region,



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Madurai-625 002.

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5. The Assistant Executive Engineer,
Water Resources Department,
Periyar Vaigai Basin Sub-Division No.2,
Madurai-600 002.

6. The Deputy Director,
Directorate of Enforcement,
Sub Zonal Office,
Madurai.
(R6 is deleted vide order dated 13.12.2024
in W.P.(MD)No.29948 of 2024 by GRSJ & BPJ)

7. The Commissioner of Police,
Madurai City,
Madurai.

8. The Inspector of Police,
Thirunagar Police Station,
Thirunagar, Madurai.

9. IVLR Infrastructures
Represented by its Director,
No.3/1, Indian Oil Petrol Bunk Campus,
Ashok Nagar, Palamedu Main Road,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to take appropriate actions against the erring officials and the 9th respondent under Penal Provision and to impose heavy cost on the 9th respondent for damaging the Thenkal Tank Sluice and illegally excavated the sand from Thenkal Tank and transport the same without any permission.



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For Petitioners :Mr.M.Saravanakumar

For Respondents :Mr.K.Balasubramani
Special Government Pleader
for R1 to R5

: Mr.Isaac Mohanlal
Senior Counsel
for M/s.Isaac Chamber for R6

: Mr.K.Gnanasekaran
Government Advocate (Crl.side)
for R7 & R8

ORDER

Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader for the official respondents and the learned Government Advocate for the jurisdictional Police and the learned senior counsel for the contractor.

2. The 9th respondent had been issued with the work order for carrying out the work of forming two lane road at Pasumalai near Thirupparankundram in Madurai-Thirumangalam reach at Km 2/550-km 3/750. The petitioners who are agriculturists allege that the 9th respondent had illegally transported the excavated soil. It appears that three of the lorries



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carrying the excavated earth were seized and the 8th respondent also issued with

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3. The learned senior counsel appearing for the 9th respondent states that it is the contractual obligations of the 9th respondent to dump the excavated earth at a spot indicated by the highways department. It has also been stipulated that it should be at a distance of not less than 5 kilometers from the work site. We are more than satisfied that this is not a case of any illegal sand mining or transportation of sand. It is quite possible that there were some procedural lapses. But they do not warrant issuance of direction in a Public Interest Litigation. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [B.P., J.]
01.04.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To

1. The Principal Secretary,
Home Department,
Fort St. George,
Secretariat, Chennai-600 009.

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2.The District Collector,
Collectorate, Madurai-625 020.

3.The Assistant Director of Mines,
Collectorate, Madurai-625 020.

4.The Superintending Engineer,
Public Works Department,
Water Resources Organization,
Periyar Vaigai Basin Circle,
Madurai Region,
Madurai-625 002.

5.The Assistant Executive Engineer,
Water Resources Department,
Periyar Vaigai Basin Sub-Division No.2,
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6.The Commissioner of Police,
Madurai City,
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7.The Inspector of Police,
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and

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