



W.P.(MD) No.4695 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.02.2024

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE P.DHANABAL**

**W.P.(MD) No.4695 of 2024
and
W.M.P.(MD) No.4530 of 2024**

S.Shenbagavalli

... Petitioner

-VS-

- 1.The District Collector
Office of the District Collector
Trichy
- 2.The Assistant Director
Geology, Mines and Minerals Department
District Collectorate Complex
Trichy
- 3.The District Environmental Engineer
Tamil Nadu Pollution Control Board
Thuvvakudi
Trichy

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus forbearing the respondents herein from in any manner allowing anyone to conduct the quarry operations in the property comprised in S.No.166, situated nearby 57th Ward, Edamalaipatti Pudur, Trichy District, based on the petitioner's representation dated 27.01.2024, within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2
Ms.M.Sudha Rani
for Ms.Vijayakumari Natarajan
Standing Counsel for R3

ORDER

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

Heard Mr.B.Jameel Arasu, learned counsel for the petitioner, Mr.P.Thilakkumar, learned Government Pleader for the respondents 1 & 2 and Ms.M.Sudha Rani, learned counsel representing Ms.Vijayakumari Natarajan, learned Standing Counsel for the third respondent.



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2. Learned counsel for the petitioner submits that stone quarrying operation is going on since twenty days. The petitioner is not aware of the person, who is carrying on the stone quarrying operation. The same is at the distance of 30 Feet from the house of the petitioner. The same is endangering the lives of the petitioner and the nearby residents. Pollution is caused.

3. Learned Standing Counsel for the third respondent / Pollution Control Board submits that the environmental clearance has been obtained and thereafter, consent to operate is also issued.

4. Learned Government Pleader for the respondents 1 & 2 submits that after complying with all formalities, licence has been issued to one J.Bosco Arokiaraj, on 04.01.2024. No illegality is committed. It is submitted that in the nearby locality, only the employees of the said stone quarrying firm reside and there is no residential habitation in the nearby vicinity.

5. The above fact is disputed by the learned counsel for the petitioner.



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6. In case the petitioner is aggrieved and according to the petitioner, the same is being carried on illegally, then the petitioner will have to challenge the consent to operate or the licence issued in favour of the said person.

7. In light of that, the writ petition is disposed of. The petitioner is at liberty to assail the permission granted for quarrying, as may be permissible under law. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., C.J.]

[P.D.B., J.]

29.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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Office of the District Collector,
Trichy.

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Geology, Mines and Minerals Department,
District Collectorate Complex,
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THE HONOURABLE CHIEF JUSTICE
and
P.DHANABAL, J.

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