



**W.P(MD)No.15865 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**DATED: 20.09.2023**

**CORAM**

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

**W.P(MD)No.15865 of 2023  
and  
W.M.P(MD)No.13286 of 2023**

Baskaran

... Petitioner

Vs.

- 1.The Secretary to Government,  
Industries Department,  
Government of Tamil Nadu.
- 2.The District Collector,  
Sivagangai District.
- 3.M/s.Tamil Nadu Minerals Limited,  
Represented by its Managing Director,  
A Government of Tamil Nadu undertaking,  
Door No.31, Kamarajar Salai,  
Chepauk,  
Chennai – 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the third respondent from doing any mining operations in the water bodies in Pudupatti Village, the lands in Survey Nos.



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14/1 and 15/1 are classified as “Tanks”; Survey No.18 is classified as “Oorani”, Survey No. 51/1 is classified as “Soorankanmai” and Survey No. 149 is classified as “Chinna Kadambankudi Tank” in Senthitudayanathapuram Village the lands in Survey No. 44 is classified as “Nattandikanmoi” Survey Nos. 248/10, 249 are classified as “Channel Poramboke” and Survey No.250 is classified as “Peria Kdambankudi Tank” and in Kumarapatti Village, the lands in Survey No.139 is classified as “Narkulam Tank” and Survey No.184 is classified as “Karubodai Kanmai”.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.K.Balasubramani  
Special Government Pleader  
for R.1 & R.2

Mr.R.Baskaran  
Additional Advocate General  
Assisted by Mr.A.K.Manickam  
Special Government Pleader for R.3

### **ORDER**

Heard the learned counsel appearing for the writ petitioner, the learned Special Government Pleader appearing for the respondents 1 and 2 and the learned Additional Advocate General assisted by the learned Special Government Pleader appearing for the third respondent.



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2. The petitioner claims to be an agriculturist. He has filed this writ petition for forbearing the third respondent / Tamil Nadu Minerals Limited from conducting any mining operation in the petition mentioned water bodies.

3. When the matter was taken up for hearing, the learned Additional Advocate General informed this Court that the rights of the ayacutdar will be duly respected. As of now mining operation is not being conducted in any of the water bodies. As and when occasion arises for conducting such quarry operations, it will be ensured that the character of the water bodies will be restored to their original position and free flow of water to the ayacutdars will be ensured.

4. Recording the stand of the respondents, this writ petition is disposed of. The authorities will not restrain the ayacutdars from utilizing water from the petition mentioned water bodies for their agricultural operations. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**[G.R.S., J.]      [B.P., J.]**  
**20.09.2023**

NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
MGA



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**and**

**B.PUGALENDHI, J.**

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