



W.P(MD)No.17037 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17037 of 2025

Murugan

... Petitioner

Vs.

1.The Commissioner,
Geology and Mines Department,
Guindy,
Chennai-600032.

2.The Assistant Director,
Geology and Mines Department,
Virudhunagar District.

3.The District Collector,
Virudhunagar District,
Virudhunagar.

4.The Tahsildar,
Sattur Taluk,
Virudhunagar District.

5.Rakkappan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the record pertaining to the impugned order passed by the 2nd respondent through his Na.Ka.k.V3/938/2024 dated 02.05.2025 and quash the same as illegal and



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consequently directing the 3rd respondent to issue Bricks kiln license in survey No.830/3A2, 830/3B, 856/1, Nenmeni Village, Sattur Taluk, Virudhunaga District.

For Petitioner : Mrs.A.Banumathy

For Respondents : Mr.M.Gangatharan
Government Advocate
for R1 to R4

: Mr.B.N.Raja Mohamed
for R5

ORDER

Heard both sides.

2. The writ petitioner is an applicant for grant of license to run a brick kiln unit in the petition mentioned lands. His request was rejected vide order dated 02.05.2025. Challenging the same, this writ petition has been filed.

3. Paragraph Nos.5 & 6 of the impugned order read as follows:-

“5. மாண்புமிகு சென்னை உயர் நீதி மன்ற மதுரை கிளையின் வழக்கு எண் W.P.(MD)No.5833/2025, தேதி 05.03.2025ல் வழங்கப்பட்ட ஆணையில் கீழ் உள்ள தீர்ப்பில் கீழ்க்கண்டவாறு தெரிவிக்கப்பட்டுள்ளது.

□The respondent 1 to 4 before granting any approval to the sixth respondent shall consider the objection of the writ petitioner, or his duly



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authorized power agent (as the writ petitioner is residing at the Kingdom of Saudi Arabia), and therefore, take a call on the application made out.□

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6. எனவே, மாண்புமிகு சென்னை உயர் நீதிமன்ற மதுரைக் கிளையின் ஆணைப்படி நிலத்தில் உரிமையாளர் செங்கல் சூளை நடத்த ஆட்சேபணை தெரிவித்தால் திரு.சி.முருகன்., த/பெ.சிதம்பரம் என்பருக்கு விருதுநகர் மாவட்டம், சாத்தூர் வட்டம், நென்மேனி கிராமம், புல எண். 830/3A2 (0.76.00), 830/3B (0.46.00), 856/1 (0.24.00), மொத்தம் 1.46.00 ஹெக்டேர் பரப்பு நிலத்தில் அமைந்துள்ள நாட்டு செங்கல் சூளை பதிவு சான்றுதல் கோரிய மனு தள்ளுபடி செய்து உத்தரவிடப்படுகிறது.□

4. This is a classic instance of utter non-application of mind on the part of the authority concerned. All that this Court directed was that the second respondent must take into account the objections that may be lodged by the fifth respondent. This Court never said that if there is objection, the application was to be negated. In fact, this Court did not even go into the merits of the matter. Completely misconstruing the order passed by this Court, the second respondent had rejected the petitioner's application for the asking. I therefore set aside the order impugned in the writ petition. The matter is remitted to the file of the second respondent. Enquiry will be held on 08.12.2025 at 3.00 pm. The petitioner as well as the fifth respondent or his agent may appear. They will not be given any individual notices. Both the sides will place their respective cases. The second respondent will pass an appropriate order on merits and in accordance with law. It is needless to mention that the cases projected by both the parties will have to be duly considered and taken into



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account before the application submitted by the writ petitioner is given a disposal. Final order shall be passed within a period of two weeks thereafter.

The writ petition is allowed on these terms. No costs.

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Index : Yes / No
Internet : Yes/ No
rmi

NOTE:Issue Order Copy on 03.12.2025

To

- 1.The Commissioner,
Geology and Mines Department,
Guindy,
Chennai-600032.
- 2.The Assistant Director,
Geology and Mines Department,
Virudhunagar District.
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G.R.SWAMINATHAN, J.

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