



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 24261 of 2026

S.Sundarajan
Proprietor
M/S.Sri Ponguru Magnesite Mines, 5/22-A,
Periyakollapatti, kannankurichi post,
Salem - 636008.

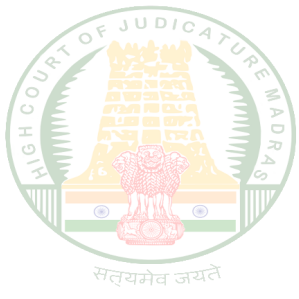
..Petitioner(s)

Vs

1. The State of Tamil Nadu
Rep. by its Secretary to Government, Natural
Resources Department, Fort St.George,
Chennai – 600009.
2. The Additional Chief Secretary,
Natural Resources Department, Fort St.George,
Chennai - 600009.
3. The District Collector,
Salem District.
4. The Additional Director of Geology and Mines,
Salem.

..Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to forthwith include the mineral “dunite” and over burden waste earth with rock in the existing mining lease for Magnesite in respect of the leasehold area of an extent of 77.50.0 hectares in Survey No.178 of Jagir Ammalpalayam Village, Salem Taluk, as per section 15b(1) and 15(b)(4) of the Mining and Mineral (Development and Regulation) Amendment Act, 2025.



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For Petitioner(s):

Mr.M.Suresh Kumar for
Mr.A.Saravanan

For Respondent(s):

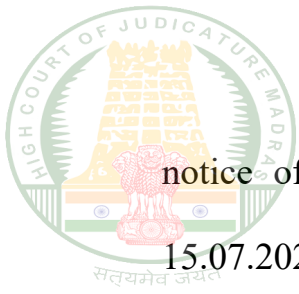
Mr.J.V.Sakthi Balakrishnan Govt Counsel

Order

This Writ Petition has been filed to direct the respondents herein to forthwith include the mineral dunite and over burden waste earth with rock in the existing mining lease for Magnesite in respect of the leasehold area of an extent of 77.50.0 hectares in Survey No.178 of Jagir Ammalpalayam Village, Salem Taluk, as per section 15b(1) and 15(b)(4) of the Mining and Mineral (Development and Regulation) Amendment Act, 2025.

2. The petitioner would state that he is the proprietor of M/s.Sri Ponguru Magnesite Mines, Salem and his father has been issued with the mining lease for Magnesite on an area of 193.64 acres in S.No.178 of Jagir Ammalpalayam Village, Salem Taluk, Salem in the year 1963 and has been subsequently renewed from time to time. The lease is valid upto 31.03.2030 pursuant to G.O.3D.No.28, Industries (M.M.A1) Department dated 27.04.2018.

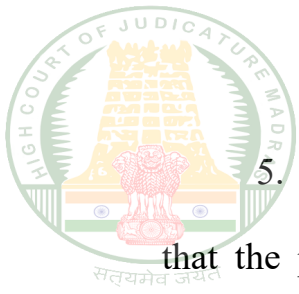
3. The learned counsel for the petitioner would submit that during the course of the mining operation, substantial quantity of dunite was found within the leasehold area. Dunite is classified as a minor mineral. Hence, the petitioner approached the authorities seeking removal of dunite. It is also brought to the



notice of this Court that the second respondent vide G.O.(D).No.79 dated 15.07.2024, granted permission for the petitioner for removal of already stocked dunite for the quantum of 1,65,355 tons from the nine dumps in the leasehold and the overburden waste from the six dumps for quantity of 15.62 MT as recommended by IBM, kept in the lease hold area.

4. It is further submitted by the learned counsel for the petitioner that as a matter of fact the modified mining plan was also approved by IBM on 27.11.2024 and Environmental Clearance Certificate was also granted on 07.04.2025. The petitioner would also submit that in terms of Section 15(B)(1) of the Mines and Minerals (Development and Regulation) Amendment Act, 2025, petitioner submitted an application dated 18.02.2026 and sought for inclusion of Dunite in the existing mining lease. It may be relevant to refer to the said rule which reads as under :

“15(B) (1) A holder of a mining lease may apply to the State Government for inclusion of any other mineral in his mining lease on the basis of a geological report in relation to that lease and the State Government shall permit inclusion of such mineral within sixty days of such application, subject to the payment of such additional amount on dispatch of the included mineral as specified in the Eighth Schedule.”



5. The learned Government Counsel for the respondents would submit that the petitioner's application was received on 18.02.2026 and it is under consideration. He would request only two weeks time for the respondents to pass appropriate orders .

6. Accordingly, this Writ Petition is disposed of. The respondent authorities are directed to dispose of the petitioner's application dated 18.02.2026, keeping in view Section 15(B) of the of the Mines and Minerals (Development and Regulation) Amendment Act, 2025 and pass appropriate orders, after affording an opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of an uploaded copy of this order. No costs.

24-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSK



To

1. The State of Tamil nadu
Rep. by its secretary to government, natural
resources department, fort st.george,
chennai - 600009.
2. The Additional chief secretary,
natural resources department, fort st.george,
chennai - 600009.
3. The District Collector
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MOHAMMED SHAFFIQ J.

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