



W.P.(MD) No. 20671 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2026

CORAM:

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.20671 of 2026

and

W.M.P.(MD)No.15325 of 2026

1.Dhanaraj,
S/o.Appinaicker

2.Selvaraj,
S/o.Appinaicker

3.Rajmohan,
S/o.Selvaraj

... Petitioners

Vs.

1.The District Collector,
Office of the District Collector,
Madurai District.

2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai District.

4.The Assistant Director,

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Geology and Mining Department,
District Collectorate Campus,
Madurai District.

5.The Tahsildar,
Office of the Tahsildar Office,
Vadipatti Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned Proceedings of the 3rd Respondent in Na.Ka.En:E-4603539/C/2026 dated 09.07.2026 and quash the same as illegal and consequently direct the Respondents to conduct a fresh survey after issuing prior notice in a manner known to law.

For Petitioners : Mr.K.P.S.Palanivelrajan
Senior Counsel

For Respondents : Mr.R.Parthiban
Counsel for the State of Tamil Nadu

ORDER

The Petitioner is before this Court against the Impugned Notice issued by the 3rd Respondent Revenue Divisional Officer dated 09.07.2026 proposing to impose Penalty on the Petitioner under Rule 36A of the Tamil Nadu Minor



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Mineral Concession Rules, 1959.

2. The Impugned Proceeding is passed pursuant to an order of the Division Bench of the Madurai Bench of this Court in W.P(MD) No.10069 of 2026 dated 10.04.2026. In the said Writ Petition, the Petitioners were Respondent Nos.6 to 8.

3. By the aforesaid Order, the Court had directed the 4th Respondent herein (5th Respondent therein) to conduct a survey. Pursuant to the said order, Road Survey was conducted and thereby the Impugned proceeding has been issued.

4. Paragraph 6 of the Order of the Division Bench of this Court in W.P(MD) No.10069 of 2026 *vide* Order dated 10.04.2026 reads as under:-

“6. In view of the above, the fifth respondent is directed to conduct an inspection of the place in question, after issuing notice to the petitioner, the respondents 6 to 8, and all other parties concerned, if any, within a period of two weeks from the date of receipt of a copy of this order. If any violation is found, the fifth respondent shall take necessary action, after affording sufficient opportunity of personal hearing to all parties concerned and by following due process of law, within a period of three months thereafter.”



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5. It appears that after the survey was conducted, the Impugned Proceeding has been issued in the exercise of power conferred under the Tamil Nadu Minor Mineral Concession Rules, 1959.

6. As far as the Impugned Proceeding dated 09.07.2026, it is merely a proposal to impose penalty based on the Road Survey Report which was furnished to the Petitioner as early as 15.05.2024.

7. It is noticed that the Petitioner has also appeared before the 3rd Respondent through an Advocate and took time to respond to the Show Cause Notice instead the Petitioner has approached this Court by filing the present Writ Petition. As such, the challenge to the Impugned Proceeding cannot be countenanced.

8. Therefore, this Writ Petition is liable to be dismissed and is accordingly dismissed with liberty to the Petitioner to respond to the Impugned Proceeding within a period of 30 days from the date of receipt of a copy of this order. The Respondent shall thereafter pass an order based on the Reply and the submission if any of the Petitioner during the personal hearing to be held by the 3rd



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9. In case the Petitioner files such Reply and chooses to appear for a Personal Hearing, appropriate orders shall be passed after hearing the Petitioner.

10. It is open for the Petitioner to justify their defense with proper Reply and reasoning during the personal hearing. No costs. Connected Writ Miscellaneous Petition is closed.

21.07.2026
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Neutral Citation : Yes / No

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To:

- 1.The District Collector,
Office of the District Collector,
Madurai District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai District.

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4.The Assistant Director,
Geology and Mining Department,
District Collectorate Campus,
Madurai District.

5.The Tahsildar,
Office of the Tahsildar Office,
Vadipatti Taluk,
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C.SARAVANAN, J.

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