



W.P.(MD) No.21127 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2026**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.(MD) No.21127 of 2026

and

W.M.P.(MD) Nos.15692 and 15693 of 2026

S.Kalidass

... Petitioner

/vs./

1.The Commissioner of Geology and Mining,
Guindy,
Chennai 600 032.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Assistant Director Geology and Mines,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for records relating to the impugned proceedings of the 1st respondent in RC No.6750/MM6/2021 dated 07.10.2022 and the consequential impugned proceedings of the 2nd respondent in Na.Ka.B3.12121-2024 dated 09.09.2024 and quash the same as illegal and consequently direct the respondents to accept the remaining



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penalty amount of Rs.20,76,464/-in 10 installments without insisting for any interest by considering the petitioner's representation dated 15.06.2026.

For Petitioner : Mr.M.Jerin Mathew

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

ORDER

Mr.R.Parthiban, learned counsel for the State of Tamil Nadu, takes notice for the respondents.

2.By consent, this writ petition is disposed of at the time of admission after hearing the learned counsel appearing for the petitioner and the learned counsel for the State of Tamil Nadu appearing for the respondents.

3.This writ petition has been filed challenging the order passed by the first respondent bearing RC No.6750/MM6/2021 dated 07.10.2022 and the consequential impugned proceedings of the second respondent bearing Na.Ka.B3.12121-2024 dated 09.09.2024.

4.It is the case of the petitioner that the petitioner was granted permission to do quarrying operation in S.Nos.13/1 and 13/30 situated at



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Thiranienthal Village, Sivagangai District for the period between 31.07.2018 and 30.07.2019. While so, the second respondent by his proceedings bearing Na.Ka.M.No.2/292/2019 dated 28.11.2019 had passed an order stating that the petitioner had indulged in quarrying operation more than the permissible limit and as such, imposed penalty upon the petitioner to the tune of Rs.1,02,55,340/-.

5.Challenging the same, the petitioner had approached this Court by way of filing a writ petition in W.P.(MD) No.26837 of 2019 and this Court, vide order dated 17.08.2021, was pleased to dispose of the same, directing the petitioner to approach the first respondent by filing an appeal. Subsequently, the petitioner preferred an appeal before the first respondent and the first respondent had disposed of the same, vide order dated 07.10.2022, by reducing the fine amount that a sum of Rs.28,20,646/- has to be paid within six months, which is under challenge herein.

6.The learned counsel for the petitioner would submit that the petitioner to prove his *bona fide* has already paid a sum of Rs.7,50,000/-. However, he prays for appropriate direction to the respondents to accept the remaining penalty amount of Rs.20,76,464/-in 10 installments without insisting any



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interest, for which, he has submitted a representation, dated 15.06.2026, before the respondents, which has not evoked any response so far. Hence, he prays for appropriate orders.

7.*Per contra*, the learned counsel for the respondents would submit as per Rule 36-B of the Tamil Nadu Minor Mineral Concession Rules, 1959, the respondents are entitled to levy of interest and to recover the arrears due to the Government in connection with minor mineral mining leases, dead rent, seigniorage fees, or associated penalties. Hence, he prays for dismissal of this writ petition.

8.Heard the learned counsel on either side and perused the records.

9.Having regard to the facts and circumstances of the case, this Court is of the view that the petitioner has admittedly committed default in making payment within the time prescribed. Consequently, the respondents are legally entitled to levy interest for the belated payment and recover the arrears in accordance with law.



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WEB COPY 10. However, taking into consideration the peculiar facts of the present case and the *bona fide* willingness expressed by the petitioner to discharge the outstanding liability, this Court is of the considered view that one final opportunity deserves to be granted to the petitioner to clear the dues in a phased manner, so as to balance the equities between the parties.

11. Accordingly, the first respondent is directed to permit the petitioner to pay the remaining outstanding amount in ten (10) equal monthly installments without any interest. The first installment shall be paid on or before the expiry of thirty (30) days from the date of receipt of a copy of this order, and the remaining installments shall be paid on or before the corresponding date of each succeeding month without default.

12. It is made clear that, in the event of default in payment of any one of the installments within the time stipulated above, this order shall stand automatically vacated without any further reference to this Court, and it shall be open to the respondents to recover the entire balance amount, together with all consequential statutory interest and other charges, in accordance with law.



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13. Subject to the above directions, the Writ Petition stands disposed of.
There shall be no order as to costs. Consequently, the connected
Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No

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To

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M.DHANDAPANI, J.

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