



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.04.2016

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

W.P(MD)No.8277 of 2016 and WMP(MD)No.6704 of 2016

WEB COPY

P.Duraipandian

... Petitioner

Vs.

1.The District Collector,  
Ramanathapuram District,  
Ramanathapuram.

2.The Deputy Director of Mines & Minerals,  
Ramanathapuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue permission for conducting quarry operation for removal of Brik-klin (Savudu) in S.Nos.4/4 & 4/7-B of Vengalur Group Village of Paramakudi Taluk and in S.No.209/2B in Kulandapuri Village of Paramakudi Taluk measuring total extent of 4.54.5 hectares in accordance with the Tamil Nadu Mines Mineral Concession Rules 1959 forthwith.

For Petitioner : Mr.Veerakathiravan,Senior Counsel  
for M/s.C.Jegannathan

For Respondents : Mr.S.Sadeshkumar,  
Additional Government Pleader

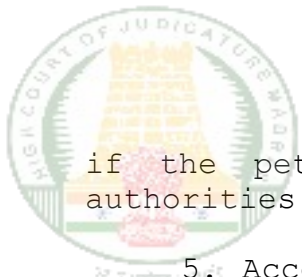
**ORDER**

Mr.S.Sadeshkumar, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to issue permission for conducting quarry operation for removal of Brik-klin(Savudu) in S.Nos.4/4 & 4/7-B of Vengalur Group Village of Paramakudi Taluk and in S.No.209/2B in Kulandapuri Village of Paramakudi Taluk measuring total extent of 4.54.5 hectares in accordance with the Tamil Nadu Mines Mineral Concession Rules 1959 forthwith.

4. The petitioner is the Proprietor of a Brick Industry by name Sri Prakasam Chamber Brick Works at Sudiyr Village, Paramakudi Taluk. The petitioner obtained lease of patta lands in S.Nos.4/4 & 4/7-B of Vengalur Group Village of Paramakudi Taluk and in S.No.209/2B in Kulandapuri Village of Paramakudi Taluk measuring total extent of 4.54.5 hectares. As there is availability of Savudu in the above said patta lands, the petitioner applied for mining lease for conducting quarry operation for removal of Savudu in the said lands. After inspection by the Revenue Officials, by proceedings in Na.Ka.No.G & M1/1387/2014, dated 22.07.2015, the Authorities thought it fit to grant mining lease



if the petitioner got appropriate orders from the other statutory authorities.

5. Accordingly, it is stated that mining plan was prepared and was duly approved by the respondents. The State level Environmental Impact Assessment Authority also had given the environmental clearance by proceedings in Lr.No.SEIAA-TN/F.No.4561/EC/1(a)/2931/2015, dated 17.02.2016, after following all the legal requirements. Similarly, the petitioner had also obtained consent from the Tamil Nadu Pollution Control Board for having licence in his favour by consent order No.160114669006, dated 07.03.2016. The Village Administrative Officer also issued suitable certificate that the land is not coming within the prohibited area. The Town & Country Planning also certified that the aforesaid survey number is not situated in the planning area. Having obtained all the necessary clearance from the appropriate authorities, the petitioner had sent a detailed representation to the respondent on 07.03.2016 seeking permission for quarrying savudu in the patta lands of the petitioner. However, there is no response. Hence, the above Writ Petition has been filed for the above stated relief.

6. In the light of the above facts, without going into the merits of the case, the first respondent is directed to consider the approval for grant of permission/licence for quarrying savudu in the patta lands in S.Nos.4/4 & 4/7-B of Vengalur Group Village of Paramakudi Taluk and in S.No.209/2B in Kulandapuri Village of Paramakudi Taluk after satisfying with all the legal and necessary formalities, based on the representation, dated 07.03.2016, within a period of two weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar(C.S)  
Madurai Bench of Madras High Court,  
Madurai.

To

- 1.The District Collector, Ramanathapuram District,Ramanathapuram.
- 2.The Deputy Director of Mines & Minerals,Ramanathapuram District.

+1cc to M/S.C.Jeganathan, Advocate in SR.No.24597

+1cc to Special Government Pleader in SR.No.24685

W.P (MD) No.8277 of 2016  
27.04.2016

pm

PA/NGM-SS/AR I/29.04.2016/2P/5C (IT)