



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.01.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD)No.25021 of 2016

and

W.M.P(MD)Nos.18108 to 18110 of 2016

Pudukkottai District Crusher Jalli Producers Welfare
Association,

Rep. By its Secretary Ramesh Babu

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Industries Department,
Fort St. George,
Chennai.

2.The District Collector,
Pudukkottai District,
Pudukkottai.

3.The Deputy Director of Geology and Mining,
Pudukkottai District,
Pudukkottai.

... Respondents

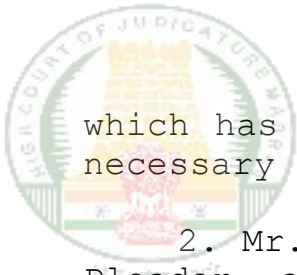
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus to call for the records pertaining to the 1st respondent's G.O.Ms.No.19 Industries (MMD 1) Department, dated 25.01.2011 and to quash the same and direct the respondents not to interfere with the members of the petitioner's right to deal with the stone either rough or processed which has been transported with valid transport permits by paying necessary seigniorage.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

O R D E R

This Writ Petition is filed challenging the order issued by the first respondent in G.O.Ms.No.19 Industries (MMD1) Department, dated 25.01.2011, consequently for a direction to the respondents not to interfere with the rights of the members of the petitioner Association to deal with the stone, either rough or processed,



which has been transported with valid transport permits by paying necessary seigniorage.

2. Mr.T.S.Mohammed Mohideen, the learned Additional Government Pleader appearing for the respondents invited this Court's attention to an order passed by the learned single Judge in W.P.No.24218 of 2013, wherein the very same G.O, which is nothing but the Tamil Nadu Prevention of Illegal Mining, Transportation and Storage of Minerals and Mineral Dealers Rules, 2011, was considered and upheld by directing the State Government to issue appropriate direction to the District Collectors and Authorities under the Mines and Minerals(Development and Regulation) Act, 1952, the Tamil Nadu Minor and Mineral Concessions Rules, 1959 and the Tamil Nadu Prevention of Illegal Mining, Transportation and Storage of Minerals and Mineral Dealers' Rules, 2011 and the Police, for strict enforcement of the statutory provisions. It is further stated by the learned Additional Government Pleader that the above said order of the learned single Judge has become final and as directed by the learned single Judge, the said order has also been implemented.

3. Therefore, I find that the present writ petition is directly covered by the above decision of the learned single Judge, against the petitioner. Accordingly, following the above said order made in W.P.No.24218 of 2013, dated 07.08.2013, this Writ Petition is dismissed. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Secretary,. State of Tamil Nadu,
Industries Department,Fort St. George, Chennai.
- 2.The District Collector,Pudukkottai District, Pudukkottai.
- 3.The Deputy Director of Geology and Mining,
Pudukkottai District,Pudukkottai.

+1CC to M/S.P.Ganapathi Subramanian,Advocate, SR.No. 685
+1CC to the Special Government Pleader, SR.No. 2510

W.P.(MD)No.25021 of 2016
11.01.2017

pm