



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No. 9073 of 2011

and

M.P (MD) Nos. 1 & 2 of 2011

M/s. Chendur Blue Metal
Rep. by its Managing Partner
Ramachandran

... 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 filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the 1st respondent's G.O.(Ms) No.19 Industries (MMD1) Department dated 25.01.2011 quash the same and direct the respondents not to interfere with the members of 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.V.Illanchezhian

For Respondents : Mr.S.Kumar,

Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned G.O.(Ms) No.19 Industries (MMD1) Department dated 25.01.2011, of the first respondent and to direct the respondents not to interfere with the



rights of the members of petitioner company to deal with the stone either rough or processed, which has been transported with valid transport permits by paying necessary seigniorage.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The learned Additional Government Pleader appearing for the respondents invited the attention of this Court 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 Mines 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 by the learned single Judge has become final and as directed by the learned single Judge, the said order has also been implemented.

4. This Court is of the view 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.(MD)No.24218 of 2013, dated 07.08.2013, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
The 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.V.Illanchezhian, Advocate SR.No. 79100
+1cc to Special Government Pleader, SR.No. 79054

W.P. (MD) No.9073 of 2011
and
M.P (MD) Nos.2 & 3 of 2011
14.09.2017

gk
JM/KP/SAR 2/27.09.2017/3P/6C