



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 25.01.2022

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.1848 of 2021

and

W.M.P.Nos.2082 and 2083 of 2021

P.Baladevie

... Petitioner

- Vs -

1. The Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Commissioner of Geology & Mining,
Guindy,
Chennai-600 032.
3. The District Collector,
Tiruppur District,
Tiruppur.
4. The Assistant Director of Geology & Mining,
Geology & Mining Department,
Tiruppur, Tiruppur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorari calling for the records of the 3rd respondent pertaining to his proceedings issued vide Na.Ka.No.533/Mines/2019 dated 30.06.2020 and quash the same.

For Petitioner : Mr.G.Arul Murugan

For Respondents
R1 & R3 : Mrs.C.Sangamithirai,
Special Government Pleader

For Respondents
R2 & R4 : Mr. B.Vijay,
Government Advocate



ORDER

The present petition has been filed seeking quashment of the impugned order dated 30.06.2020 passed by the 3rd respondent.

2. When the matter is taken up for hearing, learned Addl. Government Pleader brought to the notice of this Court that vide order dated 23.12.2021 in W.P. No.32563/2019, etc. Batch, this Court had dismissed the petitions filed by the petitioners therein, questioning similar show cause notice levying penalty for the period aforesaid and, therefore, it is submitted that similar order may be passed in this petition as well.

3. This Court, vide order dated 23.12.2021 in W.P. No.32563/2019, etc. Batch, while considering identical show cause notices levying penalty on the petitioners therein for continuing quarrying operations without obtaining environmental clearance certificate, dismissed the petitions holding that the levy of penalty on the petitioners for failing to submit environmental clearance certificate is perfectly justified for the reasons stated therein. The present petition, being on identical set of facts and circumstances, the order passed in W.P. No.32563/2019, etc. Batch, is squarely attracted and, therefore, there are no merits in this petition as well and the same deserves to be dismissed.

4. Accordingly, the writ petition fails and, accordingly, the same is dismissed. Consequently, connected miscellaneous petitions are closed. However, in the circumstances of the case, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Industries Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai-600 009.



2. The Commissioner of Geology & Mining,
Guindy,
Chennai-600 032.

3. The District Collector,
Tiruppur District,
Tiruppur.

4. The Assistant Director of Geology & Mining,
Geology & Mining Department,
Tiruppur, Tiruppur District.

+1cc to Mr.G.Arul Murugan, Advocate, S.R.No.4470

+1cc to the Government Pleader, S.R.No.5270

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and

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NSK 10/02/2022