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THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.01.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.9433 of 2020
and W.M.P.Nos.11524 and 11526 of 2020

C.Sathish Kumar

... Petitioner

Vs.

The District Collector,
Collectorate (Department of Geology and Mining)
Salem.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records passed by the respondent herein in R.O.C.No.45/2019/CG-27/Mines-A dated 06.03.2020 and quash the same.

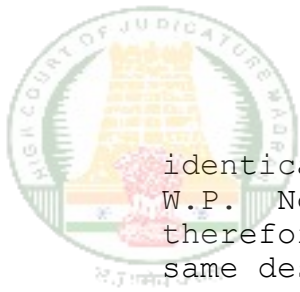
For Petitioner : Mr.M.Padmavathy
For R1 : Mr.B.Vijay
Additional Government Pleader

O R D E R

The present petition has been filed assailing the impugned Memo issued by the respondent in and by which penalty has been levied on the petitioner for continuing quarrying operations without obtaining environment clearance between 15.1.2016 and 10.01.2017.

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.

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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(CO)

//True Copy//

Sub Assistant Registrar

sk

To
The District Collector,
Collectorate (Department of Geology and Mining)
Salem.

+1 cc to Government Pleader Sr.NO. 3025

W.P.No.9433 of 2020

mt(CO)
A.SK(09.02.2022)