



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10244 OF 2020

AND

W.M.P.NOS.12452 AND 12454 OF 2020

Tvl.Mahalakshmi Mines and Minerals,
rep.by its Manager T.Praveen
No.4/194, S.Kollapatty,
Mohan Nagar (P),
Salem District.

... Petitioner

Vs.

1. The State of Tamil Nadu
rep.by its Commissioner &
Secretary to Government,
Industries Department,
Fort St.George,
Chennai 600 009.
2. The Commissioner of Geology and Mining,
Guindy, Chennai 600 032.
3. The District Collector,
Department of Geology and Mining,
Salem 636 001.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the 3rd respondent in his Memorandum (demand) in Roc.No.45/2018/F-6/Mines-A dated 30.06.2020.

For Petitioner : Mr.K.R.Krishnan

For Respondents : Mr.B.Vijay
Special Government Pleader



O R D E R

The present petition has been filed for issuance of writ of Certiorari to call for the records of the 3rd respondent in his Memorandum (demand) in Roc.No.45/2018/F-6/Mines-A dated 30.06.2020 and quash the same.

2. When the matter is taken up for hearing, learned Special 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 Memorandum 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 petition is closed. However, in the circumstances of the case, there shall be no order as to costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

sk

To

1. The Commissioner &
Secretary to Government,
Industries Department,
Fort St.George,
Chennai 600 009.



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

3. The District Collector,
Department of Geology and Mining,
Salem 636 001.

+1cc to M/s.K.R.Krishnan, Advocate, S.R.No.2666

+1cc to the Government Pleader, S.R.No.2714

W.P.No.10244 of 2020

KSM(CO)
RLP(10/03/2022)