



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 10.01.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. NOS.12057, 12518 AND 12522 OF 2020
AND

W.M.P.NOS.14779, 14781, 15427, 15429 AND 15432 OF 2020

M.Sengottuvel

... Petitioner in W.P.No.12057 & 12518/2020

R.K.Ramesh

... Petitioner in W.P.No.12522 of 2020

- Vs -

1. The Government of Tamil Nadu,
rep.by its Secretary to Government,
Industries Department,
Fort St.George,
Chennai 600 009.

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

3. The District Collector,
Salem District,
Salem.

... Respondents in W.P.No.12057 & 12518/2020

1. The Government of Tamil Nadu,
rep.by its Secretary to Government,
Industries Department,
Fort St.George,
Chennai 600 009.

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

3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

... Respondents in W.P.No.12522/2020



Prayer in W.P.No.12057/2020: Writ Petition has been filed under Section 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned Memos of the 3rd respondent Roc. No.45/ 2019/ CG- 20/ Mines-A dated 06.03.2020 and 30.06.2020 with reference to the granite quarry bearing in No.32/2 (Part) over an extent of 1.05.0 Hectares in Devannagoundur Village, Sankari Taluk, Salem District and quash the same.

Prayer in W.P.No.12518/2020: Writ Petition has been filed under Section 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned Memos of the 3rd respondent Roc. No.45/ 2019/ CG- 18/ Mines-A dated 06.03.2020 and 30.06.2020 with reference to the granite quarry bearing in No.33/2 over an extent of 1.18.5 Hectares in Devannagoundur Village, Sankari Taluk, Salem District and quash the same.

Prayer in W.P.No.12522/2020: Writ Petition has been filed under Section 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records relating to the impugned Notice of the 3rd respondent Roc. No.438/ Kanimam/ 2019-2 dated 29.06.2020 with reference to the granite quarry bearing in S.F.No.6/2E, 6/3C2, 6/4A, 6/4B (P), 6/5A1, 7/3B2, 7/3C, 7/3D, 7/4A and 7/4B, admeasuring 1.23.0 Hectares in Karnampoondi village Thiruvannamalai District and quash the same

For Petitioners in all petitions : Mr.V.Sanjeevi

For Respondents in all petitions : Mr.B.Vijay
Additional Government Pleader

COMMON ORDER

The present petitions have been filed for issuance of Certiorari to call for the records relating to the impugned Memos of the 3rd respondent Roc. No.45/ 2019/ CG- 20/ Mines-A dated 06.03.2020 and 30.06.2020 with reference to the granite quarry bearing in No.32/2 (Part), over an extent of 1.05.0 Hectares in Devannagoundur Village, Sankari Taluk, Salem District and quash the same.

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 Memorandums levying penalty for the



period aforesaid and, therefore, it is submitted that similar order may be passed in these petitions as well.

3. This Court, vide order dated 23.12.2021 in W.P. No.32563/2019, etc. Batch, while considering identical Memorandums 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, these writ petitions fail 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,
Fort St.George,
Chennai 600 009.
2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai 600 032.
3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
4. The District Collector,
Salem District, Salem.

+3ccs to Mr.V.Sanjeevi, Advocate, S.R.No.2050

W.P. NOS.12057, 12518 and 12522 OF 2020

PMK(CO)
RLP(07/02/2022)