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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.14117 OF 2020

AND

W.M.P.NO.17526 OF 2020

R.Sakkubai

... Petitioner

- Vs -

1. State of Tamil Nadu
rep by Secretary to Government Indus. Dept.,
Fort St. George, Chennai-600 009.

2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai-32.

3. The District Collector,
Krishnagiri District, Krishnagiri.

... Respondents

Prayer: 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 demand notice of the third respondent bearing Roc. No. 1042/2018/C-25/Mines dated 19.02.2020 with reference to the granite quarry in the patta land in S.F.Nos.371/1A, 371/2(P), 372(P), 374/1, 375/1(P) and 375/2 in Puligunda Village, Krishnagiri Taluk (now Bargur Taluk) Krishnagiri District and quash the same.

For Petitioner : Mr.V.Sanjeevi

For Respondents : Mr.B.Vijay
Government Advocate



ORDER

The present petition has been filed for issuance of Certiorarified Mandamus to call for the records relating to the impugned demand notice of the third respondent bearing Roc. No. 1042/2018/C-25/Mines dated 19.02.2020 with reference to the granite quarry in the patta land in S.F.Nos.371/1A, 371/2(P), 372(P), 374/1, 375/1(P) and 375/2 in Puligunda Village, Krishnagiri Taluk (now Bargur Taluk) Krishnagiri District and quash the same.

2. When the matter is taken up for hearing, learned Government Advocate 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 notices 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 notices levying penalty on the petitioner therein for continuing quarrying operations without obtaining environmental clearance certificate, dismissed the petitions holding that the levy of penalty on the petitioner 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, are squarely attracted and, therefore, there are no merits in this petition as well and the same deserves to be dismissed.

4. Accordingly, this 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rli



To

1. The Secretary to Government Indus. Dept.,
State of Tamil Nadu
Fort St. George Chennai-600 009

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2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai-32.
3. The District Collector,
Krishnagiri District, Krishnagiri.

+1cc to Mr.V.Sanjeevi, Advocate, S.R.No.4373

+1cc to the Government Pleader, S.R.No.5268

W.P.NO.14117 OF 2020
and W.M.P.No.17526 of 2020

GPL(CO)
RLP(28/02/2022)