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Order dated 15.09.2022 in
Cont.P.No.1606 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.09.2022

Coram:

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU
Cont.P.No.1606 of 2022

Mr.B.Pasumpon Anand

Vs.

.. Petitioner

1. Mr.A.R.Rahul Nadh,
District Collector,
Chengalpattu District,
Collector Office, GST Road,
Chengalpattu District,
Tamil Nadu - 603 001.

2. Mr.R.Kannan,
Member Secretary,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai-600 032.

3. Mr.K.Balasubramanian,
Director,
Directorate of Geology & Mining,
Thiru Alandur Road,
Guindy Industrial Estate,
Guindy, Chennai-600 032.

4. Tmt.S.Saraswathi,
Revenue Divisional Officer,
Madurnthakam, Taluk,
Tamil Nadu-603 306.

5. Mr.Rajesh,
Tahsildar,

Page No.1/5



Order dated 15.09.2022 in
Cont.P.No.1606 of 2022

Maduranthakam,
National Highway 38,
Maduranthakam,
Tamil Nadu 603 306.

.. Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts Act, praying to punish the respondents herein for wilful disobedience of the direction of this Court in W.P.No.23756 of 2021, dated 03.01.2022.

For petitioner : Mr.K.M.Mrithunjayan

For respondents: Mr.K.V.Sajeev Kumar, Spl.G.P. for RR-1 and 3 to 5

ORDER

(The Order of the Court was made by T.Raja, J)

This Contempt Petition is filed alleging non-compliance of the order of this Court, dated 03.01.2022 passed in W.P.No.23756 of 2021.

2. When the Contempt Petition is taken up for hearing today, learned Special Government Pleader appearing for the respondents 1 and 3 to 5 has filed the compliance report, dated 10.09.2022 of the fourth respondent, and paragraphs 5 and 6 therein read as follows:

"5. It is submitted that pursuant to the above judgment of this Hon'ble of this Court order all the necessary actions were initiated and we have temporarily shut down the crusher unit of the M/s.Prasanna Blue metals till date. It is submitted that, further the quantity of mines excavated without permission in the Quarry site has been determined by the Joint Committee consisting of Revenue Divisional Officer, Assistant Director (i/c), Geology and Mining,



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Cont.P.No.1606 of 2022

Chengalpattu and Tahsildar, Maduranthagam. In continuation to the same, notice had been issued to the Quarry owner and the legal heir of Thiru.S.Murali (deceased on 28.05.2021) Tmt.Jayalakshmi w/o Murali on 08.04.2022, 15.06.2022 and 29.08.2022. Based on the field inspection and enquiry, penalty has been arrived and orders dated 30.08.2021 and 31.08.2022 has been passed by this office.

6. It is submitted that in S.No's 7/A1, 5 and 6 there was excessive mining and hence necessary orders were passed directing Mrs.Jayalakshmi wife of Late Murali to pay the penalty amount of Rs.7,29,62,601/- under rule 36(A) of the Tamil Nadu Minor Mineral Concession rules 1959. It is also submitted that for transporting the mineral without paying seigniorage fees a penalty of a sum of Rs.59,47,421/- was imposed by the order dated: 31.08.2022."

3. In view of the above compliance made by the fourth respondent, the Contempt Petition is closed, taking note of the fact that compliance report has served the purpose.

(T.R., J) (P.D.A., J)
15.09.2022

Speaking Order: Yes/no
CS



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T.RAJA, J
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15.09.2022

Page No.5/5