



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6594 of 2020

and

W.P.(MD)Nos.5941 & 5943 of 2020

WEB COPY

M/s.Bala Vinayaga Blue Metals,
Rep. by its Managing Partner,
K.Thangaraj,
S/o.Kandasamy,
A.SF.No.571/Saminathapuram,
Kattumunnur Post,
K.Paramathi,
Pugalur Taluk,
Karur District.

... Petitioner

Vs.

The Tahsildar,
Pugalur Taluk,
Karur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order reference Na.Ka.No.Aa1/1057/2019, dated 27.05.2020 by the respondent and quash the same.

For Petitioner	: Mr.AN.Ramanathan
For Respondent	: Mr.P.Thilak Kumar Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner is running a quarry in the petition mentioned survey numbers. Complaints were made to the effect that the petitioner is indulging in excess quarrying and that he had committed polluting activities. Hence, the District Collector, Karur issued the memorandum dated 07.02.2020 stopping the petitioner from continuing the quarrying operations. The petitioner was also called upon to show cause as to why the licence issued to the petitioner should not be cancelled. Aggrieved by the same, the petitioner filed W.P.(MD)Nos.3398 & 3399 of 2020 before this Court. On 20.02.2020, interim order was granted by this Court. Thereafter, the impugned notice dated 28.05.2020 was issued by the respondent proposing to survey the petition mentioned survey numbers.



3. The petitioner's counsel would point out that the petition mentioned survey numbers are patta lands and that he is having title over the same. The petitioner did not apply to the respondent for conducting survey. While so, the respondent could not have on his own proposed to conduct survey. It is also pointed out that the respondent is not an authority competent under the Mines and Minerals (Development and Regulation) Act, 1957.

4. I am satisfied that there is absolutely no justification for issuing the impugned survey notice. It stands quashed. The Writ Petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

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To

The Tahsildar,
Pugalur Taluk,
Karur District.

+1 CC to M/s.SPL.GP (SR-28720[F] dated 29/06/2022)

+1 CC to M/s.AN. RAMANATHAN, Advocate SR-28803[F] dated 29/06/2022

W.P. (MD)No.6594 of 2020

and

W.P. (MD)Nos.5941 & 5943 of 2020

28.06.2022

svn(CO)

TR(05.07.2022) 2P 4C