



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Twenty Sixth day of July Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

W.M.P. (MD) Nos.11590 & 11591 of 2022
in
W.P. (MD) NO.16035 of 2022

M.SHERIF

... PETITIONER
IN BOTH PETITIONS

Vs

- 1 THE DIRECTOR/COMMISSIONER
DEPARTMENT OF GEOLOGY AND MINING,
THIRUVIKA INDUSTRIAL ESTATE,
GUINDY, CHENNAI-32.
- 2 THE JOINT DIRECTOR OF GEOLOGY AND MINING,
TIRUNELVELI.
- 3 THE DISTRICT COLLECTOR
TIRUNELVELI DISTRICT.
- 4 THE SUB COLLECTOR
CHERANMAHADEVI TALUK, TIRUNELVELI DISTRICT.
- 5 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINING,
COLLECTORATE BUILDING, TIRUNELVELI,
TIRUNELVELI DISTRICT.

... RESPONDENTS
IN BOTH PETITIONS

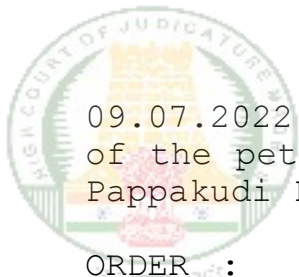
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue an order of stay all further proceeding pursuant to the order passed in Na.Ka.No. 5351/2022/அ4 dated 09.07.2022 passed by the 4th respondent.

Prayer in WMP(MD). 11591/ 2022 :

To pass an interim direction directing the respondent to issue seniorage pass for the petitioner`s quarry located at S.F.No. 127/2 and 124/1A Pappakudi Part 1 Village Cheranmahadevi Taluk, Tirunelveli District.

Prayer in WP(MD). 16035/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to order passed by the 4th respondent in Na.Ka.No. 5351/2022/அ4 dated



09.07.2022 and quash the same and conduct re-inspection in place of the petitioner at the quarry located at S.F.No. 127/2 and 124/1A Pappakudi Part 1 Village Cheranmahadevi Taluk, Tirunelveli District.

ORDER: This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.M.RIYAZ AHAMED, Advocate for the petitioner and of Government Pleader on behalf of the Respondents, While admitting the WP., the court made the following order:-

There shall be an order of interim stay. Notice.

2. The petitioner is a license holder who is authorised to operate the quarry. He has been issued with a show cause notice. The said show cause notice has been stayed on the ground that it was vitiated by pre-determination. Since no final order has been passed against the petitioner, the petitioner cannot be restrained from operating the quarry.

3. W.M.P.(MD)No.11591 of 2022 is allowed.

sd/-

26/07/2022

/ TRUE COPY /

28/07/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DIRECTOR/COMMISSIONER
DEPARTMENT OF GEOLOGY AND MINING,
THIRUVIKA INDUSTRIAL ESTATE,
GUINDY, CHENNAI-32.
 - 2 THE JOINT DIRECTOR OF GEOLOGY AND MINING,
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CHERANMAHADEVI TALUK, TIRUNELVELI DISTRICT.
 - 5 THE ASSISTANT DIRECTOR OF GEOLOGY AND MINING,
COLLECTORATE BUILDING,
TIRUNELVELI,
TIRUNELVELI DISTRICT.
- +3. C.C. to Mr.K.M.RIYAZ AHAMED, Advocate SR.No.7693, 7694, 7695.

ORDER IN

W.M.P.(MD)Nos.11590 & 11591 of 2022
in

W.P.(MD)NO.16035 of 2022

Date :26/07/2022