



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21175 of 2022 and
W.M.P.(MD)Nos.15379, 15380 & 15382 of 2022

V.Ravichandran

... Petitioner

Vs.

1. The Director / Commissioner of Geology & Mining,
Department of Geology & Mining,
Industrial Estate, Guindy,
Chennai – 600 032.
 2. The Joint Director of Geology and Mining,
Department of Geology & Mining,
Tirunelveli,
Tirunelveli District.
 3. The District Collector,
Tirunelveli,
Tirunelveli District.
 4. The Assistant Director (Geology and Mines),
Department of Geology and Mines,
Collectorate Building,
Tirunelveli, Tirunelveli District.
 5. The Revenue Divisional Officer,
O/o.The Revenue Division Office,
Tirunelveli, Tirunelveli District.
- ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned



notice passed by the 5th respondent in his proceedings Na.Ka.No. A5 / 2241 / 2022 dated 09.7.2022 and quash the same as illegal and consequentially to direct the respondents to conduct re-inspection in the presence of the petitioner at the quarry located in Survey Nos. 254/1 (P), 255 (P), 262, 263, 264, totally to an extent of 4.71.8 hectares of patta land in Chitharchatiram Village, Manur Taluk, Tirunelveli District.

For Petitioner : Mr.Ajmal Khan,
Senior Counsel,
for M/s.Ajmal Associates.

For Respondents: Mr.Veera Kathiravan,
Additional Advocate General,
assisted by,
Mr.P.Thilak Kumar,
Government Pleader.

* * *

ORDER

Heard the learned Senior counsel appearing for the writ petitioner and the learned Additional Advocate General appearing for the respondents.

2. The petitioner was granted mining lease in March 2022. By the impugned show cause notice, the fifth respondent proposed to levy penalty on the writ petitioner. In



the show cause notice itself, the penalty amount has been quantified. The learned Senior counsel submitted that it is a clear case of pre-determination on the part of the fifth respondent. Similarly worded show cause notices were quashed by this Court vide Order dated 11.08.2022 made in W.P.(MD) No.17130 of 2022.

3. In view of the same, the order impugned in this writ petition stands quashed. The matter is remitted to the file of the fifth respondent to pass order afresh and in accordance with law. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

02.09.2022

Index : Yes / No

Internet : Yes/ No

PMU



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W.P.(MD)NO.21175 OF 2022

G.R.SWAMINATHAN,J.

PMU

To:

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