



WP No.10357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WP No.10357 of 2023

A.S.Sivalingam

: Petitioner

Vs

- 1.The Secretary
Industries Department
Government of Tamil Nadu
St. George Fort, Chennai - 600 009.
- 2.The Commissioner/Director
Geology and Mining
Guindy, Chennai - 600 025.
- 3.The District Collector
Viluppuram District.
- 4.The Assistant Director
Geology and Mining
Viluppuram District.
- 5.The Sub-Collector
Sub Collector Office, Jakkampettai
Tindivanam, Villupuram District.
- 6.The Tahsildar
Taluk Office
Marakkanam Taluk, Vilupuram District.
- 7.Sivanandham
- 8.Kumaravelu



WP No.10357 of 2023

9.Paramasivam
10.Ravichandran

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 6 to stop the illegal quarry operations carried by respondents 7 to 10 in the Nalmukkal and Keezh Arangunam Villages, Marakkanam Taluk, Vilupuram District by considering the petitioner representation dated 13.02.2023.

For the Petitioner : Ms.S.Kalaiaarasi

For Respondents 1 to 6 : Mr.P.Muthukumar,
State Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.S.Kalaiaarasi, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, for respondents 1 to 6.

2. Status report is filed by the District Collector, Villupuram. The report states that pursuant to the complaint of the petitioner, inspection was made and thereafter, action has been taken. The details are as under :

“vi. It is respectfully submitted that inspection report of the team headed by the Deputy Director of Geology and Mining, Villupuram comprising nature of violations committed by the offenders have been forwarded to the Sub Collector, Tinividvanam, in District Collector letter RC.No.B/



WEB COPY



WP No.10357 of 2023

G&M/40/2023 dated 04.06.2023 for taking further action as per the Rule 21 of Mines and Minerals (Development and Regulation) Act, 1957 and levying penalty as per Rule 36-A(i)(iii) of Tamil Nadu Minor Mineral Concession Rules, 1959. The Sub Collector, Tindivanam has levied penalty for illegal quarrying and transportation of gravel and rough stone from the expired quarries as submitted below.

Sl. No.	Name and address of the offender	Location Taluk/Village	Location S.F.Nos./ Extent/Hects /Classification	Sub Collector, Tindivanam proceedings Rc.No.	Penalty levied (in Rs.)
1	A.Sivananthan S/o.Anbazzhagan, Mettu Street, Vadanerkunam Post, Tindivanam Taluk	Tindivanam Nalmukkal (Presently Marakanam Taluk)	Govt. Land 28/3 1.64.0 Hects	A3/4163/2023 dated 23.08.2023	46,94,04,616
2	M.Kumaravel S/o.ManiGounder, Keelarungunam Village, Tindivanam Taluk	Tindivanam Chokkkanthangal (Presently Marakanam Taluk)	Patta Lands 1/2(p) 2/1B(P) 2/1C(P) 2.06.0 H	A3/4163/2023 dated 23.08.2023	41,31,02,008
3	K.Paramasivan, S/o.KanesaGounder No.290/5, Mariamman Koil St. Chokkkanthangal , Keelsiviri Post, Marakanam Taluk	Tindivanam Nalmukkal (Presently Marakanam Taluk)	Patta lands 10/2 10/5A 10/5B 10/5C 10/9 1.06.5 Hects	A3/4163/2023 dated 23.08.2023	25,91,84,476
4	V.Ravichandiran S/oVaradajGounder Perumukkal village, Tindivanam taluk	Tindivanam Nalmukkal (Presently Marakanam Taluk)	Patta lands 26/1A 26/1B1 26/2A 27/3B 28/1B 3.17.5 Hects	A3/4163/2023 dated 23.08.2023	
Total					122,5812356

vii. In the above mentioned circumstances it is submitted that the expired leases mentioned in the writ petition have been inspected and penalty of



WP No.10357 of 2023

Rs.122,58,12,356/- has been levied against the respondents 7 to 10 and 7 FIRs have been registered against the respondents which includes recent FIR filed against the 8th respondent on 22.06.2023 for illegal transportation of minerals and the cases are pending before the District Court. It is respectfully submitted that filing of criminal case against the respondents 7 to 10 under Section 21 of Mines and Mineral (Development and Regulations) Act, 1957 for illegal quarrying of Gravel and Rough Stone in the expired quarries will be initiated by the Sub Collector, Tindivanam by giving private compliant before the Hon'ble District Court concerned. Moreover, it is respectfully submitted that Mines, Revenue and Police Department are monitoring all the expired quarries frequently in order to curtail illegal quarrying and transportation of minerals in the district. Therefore, it is humbly prayed that the Hon'ble High Court may be appraised on the above facts."

3. In light of the above, the purpose of the Writ Petition stands served.

The Writ Petition is disposed of. There will be no order as to costs.

(S.V.G., C.J.)

(P.D.A., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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WP No.10357 of 2023

WEB COPY

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WEB COPY



WP No.10357 of 2023

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WP No.10357 of 2023

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