



W.P.No.25188 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.25188 of 2022

W.Aruldoss

.. Petitioner

Vs.

1. The District Collector
Mayiladuthurai District
Mayiladuthurai.
2. The Superintendent of Police
Mayiladuthurai District
Mayiladuthurai.
3. The Revenue Divisional Officer
Sirkazhi, Mayiladuthurai District.
4. The Tahsildar
Tharangambadi Taluk, Tharangambadi
Mayiladuthurai District.
5. The Assistant Director of Mines and Geology
Nagapattinam
Nagapattinam District.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to take appropriate action against illegal quarry operators in and around Kaliyappanallur Village, Thoradipattu, Singanodai, Anandhamangalam, Tharangambadi Taluk, Mayiladuthruai District.

For the Petitioner : Ms.R.Hemalatha

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.R.Hemalatha, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondents.

2. The petitioner alleges illegal quarry being done by the quarry operators in and around Kaliyappanallur Village.

3. The Assistant Director (In charge) of Geology and Mining has given the details. The same reads thus:

"1. The Earth quarry lease had been granted to



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Thiru.G.Srinivasan, Managing Partner, M/s. Sri Ganesh Enterprises for quarrying earth in patta lands in S.F.No.165/1B (0.49.00), 162/1B (0.94.00) and 149/1A (0.55.0), over an extent of 1.43.00 hectares of Kaliappanallur Village in Tharangambadi Taluk, Mayiladuthurai District to a depth of 2 meters for a period of One year from 15.12.2021 to 14.12.2022 by Assistant Director (i/c), Geology and Mining, Nagapattinam / Mayiladuthurai vide Proceedings R.C.No.97/Mines/2021 Date: 09.11.2021 and another one Earth quarry lease had been granted to Thiru.D.Veerappan, S/o Dhanushu for quarrying of earth in patta lands in S.F.Nos.147/1 (0.39.50), 148 (0.41.50) and 149/1A (0.55.0), over an extent of 1.36.00 hectares of Kaliyappanallur Village in Tharangambadi Taluk, Mayiladuthurai District to a depth of 2 meters for a period of One year from 27.07.2022 to 26.07.2023 by Assistant Director (i/c), Geology and Mining, Nagapattinam / Mayiladuthurai vide R.C.No.30/Mines/2022 Date: 26.07.2022 under rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959 subject to the strict compliance of the conditions for supplying earth



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for four laning of Sattanathapuram to Nagapattinam (Design CH Km 123.800 to CH Km 179.555) C\section of NH-45A (New NH – 332 in State of Tamil Nadu under NHDP Phase IV on Hybrid annuity mode. Both the earth quarry lease periods expired on 14.12.2022 and 26.07.2023.

2. *It is humbly submitted that, Thiru.G.Srinivasan, Managing Partner, M/s. Sri Ganesh Enterprises has been awarded work contract by SPL Infrastructures Pvt Ltd. and Thiru.D.Veerappan has been awarded work contract by Care India Intech through Welspun Enterprises Ltd., for supplying earth for four laning of Sattanathapuram to Nagapattinam (Design CH Km 123.800 to CH Km 179.555) C\section of NH-45A (New NH -332) in State of Tamil Nadu under NHDP Phase IV on Hybrid annuity mode.*

...

4. *The Thasildar, Tharangambadi has stated in his letter R.C.No.1567/A3/2023 dated 09.12.2023 that detailed enquiry was conducted. During the enquiry it has been learnt that two (2) earth quarry leases were running in S.F.Nos.165/1B (0.49.00), 162/1B (0.94.00) 149/1A (0.55.00), 147/1 (0.39.00), 148 (0.41.5) and 149/1A*



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(0.55.00) of Kaliyapanallur Village, Tharangambadi Taluk, Mayiladuthurai District in the year 2021 and 2022. Both leases already expired and not in operation at present. Excavation of earth has been used only for Sattanathapuram to Nagapattinam (Design CH Km 123.800 to CH Km 179.555) C\section of NH-45A (New NH – 332) road project. Aforesaid both earth quarry leases were also inspected and measured by the Firka Revenue Inspector and Surveyor. After the inspection it has been reported that, excavation of earth have been carried out within their lease granted area as per the existing rules. No illegal sand quarry running in Kaliyapanallur Village of Tharangambadi Taluk as stated by the petitioner Thiru.W.Aruldass.

In view of the above, it is submitted that, the quarry leases had been granted to Thiru.G.Srinivasan and Thiru.D.Veerappan for quarrying and supplying of earth for Sattanathapuram to Nagapattinam (Design CH Km 123.800 to CH Km 179.555) C\section of NH-45A (New NH-332) road project expired on 14.12.2022 and 26.07.2023. No illegal sand quarrying has been done and no quarry leases has been granted in



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Ananthamangalam, Singanodai and thoradipattu of Tharangambadi Taluk Mayiladuthurai District as stated by the petitioner.”

4. The aforesaid would make it abundantly clear that the writ petition has been filed on false and erroneous grounds. The writ petition, as such, dismissed with costs in cause. Consequently, W.M.P.No.27237 of 2022 is also dismissed.

(S.V.G., CJ.)

(D.B.C., J.)

11.12.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

1. The District Collector
Mayiladuthurai District, Mayiladuthurai.
2. The Superintendent of Police
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THE HON'BLE CHIEF JUSTICE
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