



W.P.Nos.26163 of 2018 and 869 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.10.2023

CORAM :

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

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.26163 of 2018 and 869 of 2019

W.P.No.26163 of 2018:

P.Arjunan

.. Petitioner

Vs

- 1.The District Collector,
Namakkal District,
Namakkal.
- 2.The District Revenue Officer,
Thiruchengodu,
Namakkal District.
- 3.The Tahsildar,
Paramathi Velur Taluk,
Namakkal District.
- 4.The Assistant Director,
Geology and Mining/Mines and Mineral Dept.,
Namakkal District.



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5.The State Level Environment Impact

Assessment Authority,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai-15.

6.The State Level Expert Appraisal Committee,

3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai-15.

7.The Chief Engineer,

Public Works Department,
Namakkal.

8.The Executive Engineer,

PWD/WRD
Mining and Monitoring Division,
Trichy District-620 020.

.. Respondents

W.P.No.869 of 2019:

N.Mathiyazhagan

.. Petitioner

Vs

1.Government of Tamil Nadu,
rep. by its Secretary,
Industries Department,
Secretariat, Chennai-600 009.

2.Government of Tamil Nadu,
rep. by its Secretary,
Public Works Department,
Secretariat, Chennai-600 009.



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3. Government of Tamil Nadu,
rep. by its Secretary,
Department of Environment and Forests,
Secretariat, Chennai-600 009.
4. The District Collector,
Namakkal District at
Namakkal.
5. The Commissioner of Geology and Mines,
Guindy, Chennai-600 032.
6. The Chairman,
Tamil Nadu Control Board,
76, Anna Salai, Guindy,
Chennai-600 032.
7. The Additional Principal Chief Conservator of Forests,
Regional Office (SZ),
34, HEPC Building, First and Second Floor,
Cathedral Garden Road,
Nungambakkam,
Chennai-600 034.
8. The Member Secretary,
State Level Environment Impact Assessment Authority,
Third Floor, Panagal Maligai,
No.1, Jeenis Road, Saidapet,
Chennai-600 015.
9. The Executive Engineer,
PWD, WRD,
Mining and Monitoring Division,
Tiruchirapalli.
10. The Tahsildar,
Paramathi Velur Taluk,
Namakkal District.



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11.The Tahsildar,
Mohanur Taluk,
Namakkal District.

.. Respondents

Prayer in W.P.No.26163 of 2018 : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for all the connected and relevant records relating to the impugned order granting permission to the 8th respondent for quarrying sand in Cauvery river passed by the first respondent under Rc.No.893/Mines/2017, dated 20.11.2017 and the consequential environmental clearance given by the fifth respondent to the said project on 17.4.2018 under Lr.No.SEIAA-TN/ F.No.6542/EC/1(a)/ 3972/2018 and quash the same and direct the first respondent not to grant any permission for sand quarry at S.F.No.170 Sarkar Manappali Village, Paramathivelur Taluk, Namakkal District.

Prayer in W.P.No.869 of 2019 : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records relating to the Proceedings of the District Collector, Namakkal District at Namakkal made in Rc.No.893/Mines/2017, dated 10.07.2018, the fourth respondent herein and quash the same and consequently forbearing the respondents especially the ninth respondent or his men or agent or anybody action through him from in any manner carrying on river sand quarrying operation at S.F.No.170, Cauvery River Poramboke land, Sarkar Manappalli Village, Paramathi-Velur Taluk, Namakkal District



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much prejudice to the environment pollution and contrary to the conditions imposed by the eighth and fourth respondents while granting the permission.

For the Petitioner in W.P.No.26163/2018	: No Appearance
For the Petitioner in W.P.No.869/2019	: Mr.N.Damodaran
For the Respondents	: Mr.T.K.Saravanan Government Advocate for respondents 1 to 4, 7 and 8 in W.P.No.26163/2018
	Mrs.G.Priyadarshini for M/s.Shanmugavalli Sekar for respondents 5 and 6 in W.P.No.26163/2018 and respondent No.6 in W.P.No.869/2019
	: Mrs.R.Anitha Spl. Government Pleader for respondents 1 to 5 and 7 to 11



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COMMON ORDER

(Order of the court was made by the Hon'ble Chief Justice)

None appears for the petitioner in W.P.No.26163 of 2018.

2. We have heard Mr.N.Damodaran, learned counsel for the petitioner in W.P.No.869 of 2019; Mr.T.K.Saravanan, learned Government Advocate for respondents 1 to 4, 7 and 8 in W.P.No.26163 of 2018; Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 5 and 7 to 11 in W.P.No.869 of 2019 and Ms.G.Priyadharshini, learned counsel for M/s.Shanmugavalli Sekar, learned Standing Counsel for respondents 5 and 6 in W.P.No.26163 of 2018 and respondent No.6 in W.P.No.869 of 2019.

3. The petitioners are challenging the order dated 20.11.2017 and 10.07.2018 respectively permitting the quarrying activities.

4. Learned Special Government Pleader and learned Government Advocate submit that the period for which quarrying



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activity was permitted is over.
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5. As the period of quarry itself has come to an end, the prayer made for quashing of such permission would not survive.

6. The writ petitions, as such, are disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.30382, 30384, 30387 of 2018; 968 and 975 of 2019 are closed.

(S.V.G., CJ.)

(D.B.C., J.)

06.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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Namakkal District, Namakkal.
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- 3.The Tahsildar,
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- 5.The State Level Environment Impact Assessment Authority,
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PWD/WRD, Mining and Monitoring Division,
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- 10.The Secretary,
Government of Tamil Nadu,
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Secretariat, Chennai-600 009.
- 11.The Secretary,
Government of Tamil Nadu,
Department of Environment and Forests,
Secretariat, Chennai-600 009.
- 12.The Commissioner of Geology and Mines,
Guindy, Chennai-600 032.
- 13.The Chairman,
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