



*W.P.(MD) No.3587 of 2020.*

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 14.03.2023**

**CORAM**

**THE HONOURABLE Ms.JUSTICE P.T.ASHA**

**W.P.(MD) No.3587 of 2020  
and  
W.M.P.(MD) No.3029 of 2020**

N.Gurudev

... Petitioner

/vs./

- 1.The State of Tamil Nadu,  
represented by its Secretary,  
Industries Department,  
Fort St.George,  
Chennai -9.
- 2.The Director,  
Geology and Mining Department,  
Chennai.
- 3.The District Collector,  
Karur District,  
Karur.
- 4.The Assistant Director,  
Geology and Mining Department,  
Karur.



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5.P.Senthilvel

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 not to grant permission for running mining operation in favour of the 5<sup>th</sup> respondent in S.F.Nos.1190/1, 2, 1191, 1192/2, 1196, 1189/1, 1189/2, 1183/3 and 1201 situated at Pethiyakattu Thottam, Pullagoundan Palayam, C.Cudalur West, Chinnadhara Puram, Aravakurichi Taluk, Karur District without conducting enquiry based upon the representation dated 07.01.2020.

For Petitioner : Mr.S.Gokul Raj

For R1 to R4 : Mr.R.Raghavan  
Government Advocate

### **ORDER**

The above writ petition has been filed seeking direction to the respondents 1 to 4 not to grant permission for running mining operation in favour of the fifth respondent in S.F.Nos.1190/1, 2, 1191, 1192/2, 1196, 1189/1, 1189/2, 1183/3 and 1201 at Pethiyakattu Thottam, Pullagoundan Palayam, C.Cudalur West, Chinnadhara Puram, Aravakurichi Taluk, Karur District.



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2.It is informed by the learned Government Advocate for the respondents 1 to 4 that though several notices were issued calling upon the petitioner to appear for an enquiry, he had not appeared in person. However, this statement is refuted by the learned counsel for the petitioner stating that the petitioner had appeared and he had requested the respondents 1 to 4 to provide him with the requisite documents, which to date has not been handed over to him. He has also taken steps under Right to Information Act, which is also futile.

3.Therefore, considering the fact that the petitioner has been asked to appear before the enquiry without him being furnished with the documents, the third respondent is directed to hold an enquiry afresh on 30.03.2023. In the event of the third respondent not being able due to official commitment to hold the enquiry on the said date, he shall duly inform the petitioner as well as the fifth respondent well in advance about the next hearing date. The enquiry notice shall also be issued to the other persons, who have moved this Court by way of writ petitions. The Xerox copies of the documents relating to the permission granted for the quarry to the fifth respondent as well as all the requisite documents and permission that he has obtained shall be furnished to the petitioner in advance.



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4. With the aforesaid directions, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
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14.03.2023

**Note : Issue order copy on 15.03.2023.**

To

1. The Secretary,  
Industries Department,  
Fort St. George,  
Chennai -9.
2. The Director,  
Geology and Mining Department,  
Chennai.
3. The District Collector,  
Karur District,  
Karur.
4. The Assistant Director,  
Geology and Mining Department,  
Karur.



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**P.T.ASHA, J.**

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**14.03.2023**