



W.P.(MD).No.15286 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **29.09.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P.(MD). No.15286 of 2023

R.Elavarasan

... Petitioner

Vs.

- 1.The Director of Geology and Mining,
Office of the Director of Geology and Mining,
Alandur Road,
Guindy Industrial Estate,
Guindy, Chennai-32.
- 2.The District Collector,
Madurai District,
Madurai.
- 3.The Assistant Director of Geology and Mining,
Office of the Assistant Director of Geology and Mining,
Collectorate Campus,
Madurai.
- 4.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Madurai,
Madurai District.
- 5.The Tahsildar,
Vadipatti Taluk,
Madurai District.
- 6.U.Chelladurai



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7.U.Raja Mohammed

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to implement the proceedings of the respondent No.4 through his proceedings in Na.Ka.No.261/2022/C dated 15.02.2023 within a time frame stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman
For Respondents : Mr.P.T.Thiraviyam
Government Advocate for R1 to R5
Mr.T.C.S.Thillai Nayagam for R6
Mr.P.Mohammed Suhail for
M/s.Ajmal Associates for R7

ORDER

The petitioner, with a grievance that a representation made by him before the respondents 1 to 4 to implement the proceedings of the fourth respondent issued vide Na.Ka.No.261/2022/C dated 15.02.2023, wherein, the respondents 6 and 7 were directed to pay a sum of Rs.2,77,53,400/- (Rupees Two Crores Seventy Seven Lakhs Fifty Three Thousand and Four Hundred only) as penalty for illegal quarrying being



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undertaken by them, has not been considered, has filed the present writ petition.

2. The learned Additional Government Pleader appearing for the respondents submits that inspection was conducted by the fourth respondent on the quarry conducted by the respondents 6 and 7 and the fourth respondent has imposed the penalty of Rs.2,77,53,400/- (Rupees Two Crores Seventy Seven Lakhs Fifty Three Thousand and Four Hundred only) on the respondents 6 and 7 for illegal quarrying being undertaken by them. As against the said order, an appeal has been preferred by the respondent No.6, under Rule 36C(1) of the Tamil Nadu Minor and Minerals Concession Rules, before the second respondent and the same is pending.

3. This Court considered the rival submissions made by both sides.

4. The fourth respondent, namely, the Revenue Divisional Officer, Madurai, appears to have passed an order on 15.02.2023 imposing the penalty of Rs.2,77,53,400/- (Rupees Two Crores Seventy Seven Lakhs



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Fifty Three Thousand and Four Hundred only) on the respondents 6 and 7 for illegal quarrying being undertaken by them. The present Writ Petition has been filed by the petitioner seeking to implement the said order dated 15.02.2023. However, as against the said order, dated 15.02.2023 passed by the fourth respondent, the appeal has been preferred by the respondent No.6 before the second respondent, namely, the District Collector, Madurai District. Therefore, the second respondent is directed to dispose of the appeal preferred by the respondent No.6 as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.09.2023

Index: Yes/No
Internet: Yes/No
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B.PUGALENDHI, J.

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