



W.P(MD).No. 8002 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2023

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THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.8002 of 2014

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..... Petitioner

- Vs-

1. The District Collector,
Dindigul District,
Dindigul.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Assistant Director of Geology and Mining,
Dindigul,
Dindigul District.
4. M.M. Detergent Company,
Represented by its Power Agent,
Vijay Anand,
No.9, Trichy Road,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents 1 and 2 to forbear the fourth respondent from in any way quarrying the lime stones in the petitioner's lands in S.No.191/1A to 1J without approval from the third respondent and the consent of the petitioner within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkateshkumar

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate
For R1 and R3

: Mr.R.M.S.Sethuraman
Additional Public Prosecutor
For R-2

: Mr.S.Karunakar – for R4

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, directing the respondents 1 and 2 to forbear the fourth respondent from in any way quarrying the lime stones in the petitioner's lands in S.No.191/1A to 1J without approval from the third respondent and the consent of the petitioner.

2. The case of the petitioner is that the petitioner is the owner of the lands in S.No.191/1A to 1J of Panniyamalai Village, Natham Taluk,



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Dindigul District and the said lands are rich in lime stones and it is only fit for quarrying line. Hence, the petitioner leased out the said lands to the fourth respondent. But the fourth respondent had violated the terms and conditions of the lease agreement and started to quarry the nearby patta lands. Hence, the petitioner had filed the present writ petition.

3. The third respondent had filed a status report stating that the lands were given on lease to one Tvl. Balaji Mineral Enterprises, the original lease holder, for mining limestone, based upon the lease document produced by him, which the said firm has entered into with the petitioner and that the said firm has not operated the quarry for more than two years. Therefore, show cause notice was issued by the third respondent to the said firm. The said firm had not responded to the said show cause notice and therefore, a proposal has also been sent for cancellation of the mining lease. Further, the request of renewal of mining lease of the said Tvl.Balaji Minerals Enterprises has also been rejected.

4. In view of the aforesaid facts, no further adjudication is required to be made in this writ petition and the petitioner is at liberty to approach the



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appropriate authorities, as and when he is aggrieved by any grant of mining lease.

5. With the above said observation, this writ petition is closed. There shall be no order as to costs.

15.02.2023

NCC: Yes / No

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Assistant Director of Geology and Mining,
Dindigul,
Dindigul District.



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K.KUMARESH BABU, J.

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Order made in
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