



W.P.No.27793 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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A.Radhakrishnan

.. Petitioner

VS

- 1.The Vigilance Commissioner,
Secretariat,
Chennai-600 009.
- 2.The Secretary to Government,
Public (Special A) Department,
Secretariat, Chennai – 600 009.
- 3.The Secretary to Government,
Human Resource (Inspection Cell) Department,
Secretariat, Chennai – 600 009.
- 4.The Secretary to Government,
Home Department,
Secretariat, Chennai – 600 009.
- 5.The Secretary to Government,
Revenue Department,
Secretariat, Chennai – 600 009.



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- 6.The Secretary to Government,
Industries Department,
Secretariat, Chennai- 600 009.
- 7.The Joint Director of South Zone,
Central Bureau of India,
College Road,
Chennai – 600 006.
- 8.The Director General of Police
and Head of the Police Force,
Dr.Radhakrishnan Salai,
Chennai – 600 004.
- 9.The Director General of Police,
Crime Branch Criminal Investigation Department,
Egmore, Chennai – 600 008.
- 10.The Commissioner of Revenue Administration,
Chepauk, Chennai – 600 005.
- 11.The Commissioner of Land Administration,
Chepauk, Chennai – 600 005.
- 12.The Director of Geology and Mining,
Guindy, Chennai – 600 032.
- 13.The District Collector,
Salem.
- 14.The Inspection Cell Officer,
1st Floor, Collectorate,
Salem – 636 001.
- 15.The Commissioner of Police,
Salem – 636 006.



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16.The Sub Divisional Executive Magistrate-cum-
Sub Collector,
Mettur, Salem District.

17.The Sub Divisional Executive Magistrate-cum-
Revenue Divisional Officer,
Suramangalam,
Salem – 636 005.

18.The Inspector of Police,
Fairlands Police Station,
Salem – 636 016.

19.The Inspector of Police,
Kannankurichi Police Station,
Salem – 636 008.

20.The Deputy Superintendent of Police,
Organized Crime Unit,
Crime Branch Criminal Investigation Department,
Nedumchalai Nagar,
Salem – 636 402.

21.The Regional Joint Director of Geology and Mining,
Mallur, Salem.

22.The Deputy Director of Geology and Mining,
2nd Floor, Collectorate,
Salem – 636 001.

23.Arthanari,
Secretary,
Tamil Nadu Revenue Officials Association,
Collectorate Campus,
Salem – 636 001.

24.C.Selladurai

25.Janaki

26.Bharaneetharan



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27.Dharmalingam
28.Vadivel @ Raja

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to prevent the illegal quarrying operation in the properties of S.F.No.12 at Jagadevenpatty Village, Omalur Taluk, Salem District, in S.F.No.1/1 and S.F.No.115/1 at Karungaradu, Chettychavadi Village, and S.F.No.1, Reddiyur Village, Salem West Taluk, Salem District and take appropriate action by following the G.O.Ms.No.135 & 170 dated 13.11.2009 and 05.08.2020 respectively and consequently issue direction directing the 9th respondent to continue the probe in uninfluenced and biased manner and proceed in accordance with law as per the guideline issued in the above said Government Orders by considering representations dated 17.11.2016, 26.7.2021 and 31.10.2021.

For the Petitioner	: Mr.R.Marudhachalamurthy
For the Respondents	: Mr.A.Edwin Prabakar State Government Pleader for respondents 1 to 6, 8 to 22
	: Mr.A.Manoj Kumar for respondent No.23
	: Mr.Karthik Lakshmanan for respondent No.24



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: Mr.L.Mouli
for respondent No.25

: Mr.H.Elango
for respondent No.26

: Mr.S.Jayaprakash
for respondent No.27

: No appearance
for respondent No.28

ORDER

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

We have heard Mr.R.Marudhachalamurthy, learned counsel for the petitioner; Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1 to 6, 8 to 22; Mr.A.Manoj Kumar, learned counsel for respondent No.23; Mr.Karthik Lakshmanan, learned counsel for respondent No.24; Mr.L.Mouli, learned counsel for respondent No.25; Mr.H.Elango, learned counsel for respondent No.26; and, Mr.S.Jayaprakash, learned counsel for respondent No.27.

2. Learned counsel for the petitioner submits that illegal quarrying operation has taken place in Jagadevenpatty Village;



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Karungaradu Chettychavadi Village and Reddiyur Village of Salem District. The details are given by the petitioner. However, no action has been taken.

3. Learned counsel for respondent No.25 submits that no mining activity is carried out by respondent No.25.

4. According to learned counsel for respondent No.24, now the mining activity is stopped. A penalty has been imposed upon respondent No.24 for excess quarrying. An appeal was filed and, in the appeal, the penalty was reduced and the reduced penalty was paid by respondent No.24.

5. The Collector, Salem, has filed affidavit/status report. In the status report, it has been stated that a field inspection was conducted and report was submitted by the then Deputy Director of Geology and Mining, Salem. Penal proceedings have been initiated against the persons involved in the illegal quarrying and transportation as per Rule 36(A) of the Tamil Nadu Minor Mineral Concession Rules, 1959. First Information Reports filed against the persons involved in the illegal



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quarrying have been detailed.

6. In view of the fact that steps have been taken by the authorities, no further orders are necessary in the present writ petition.

7. The government authorities shall periodically carry out inspection so as to avoid any illegal mining/quarrying activity and, if they notice the illegal quarrying/mining, then immediate action in accordance with law shall be taken against the erring persons.

8. The writ petition, accordingly, stands disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.29362 of 2021 and 12536 of 2022 are closed.

(S.V.G., C.J.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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