



WP No.30632 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

WP No.30632 of 2022

Jaisankar : Petitioner

Vs

- 1.The District Collector
Cuddalore District.
- 2.The Revenue Divisional Officer
Cuddalore District Cuddalore.
- 3.The Assistant Director
Mines and Minerals, Collectorate Complex
Cuddalore.
- 4.The Assistant Director
Panchayats Cuddalore District.
- 5.The Tahsildar
O/o. The Tahsildar, Panruti Taluk,
Cuddalore District.
- 6.The Block Development Officer
Anna Village, Panruti Taluk,
Cuddalore District.



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7.The Superintendent of Police
Cuddalore District

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to take appropriate action in the petitions preferred by the Petitioner dated 27.07.2022 and 25.08.2022 and further directing the 1st Respondent to recover the soil taken by the company RPP-RK(JV) Erode or Fix the price of the soil already taken by the said Company RPP-RK(JV) Erode and pass appropriate order with regard to the proceedings in Na.Kaa.No.72/Mines/ 2022 dated 24.06.2022.

For Petitioner : Ms.R.Hemalatha,
for Mr.A.Ansar

For Respondents : Mr.C.Kathiravan,
Special Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Ms.R.Hemalatha, learned counsel for the petitioner and Mr.C.Kathiravan, learned Special Government Pleader for the respondents.



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2. Learned counsel for the petitioner submits that the company, RPP-RK (JV), has carried out excavation of excess soil. Therefore, the first respondent/District Collector may be directed to recover the excess soil or fix price of the soil already excavated and taken by offending company.

3. The said company is not a party to the writ petition.

4. A status report is filed by the third respondent. It is clarified that on 19.11.2022, inspection was made by the revenue officials, mine officials and Block Development Officer, Annagramam and during the field inspection, it was found that a quantity of 17,386 cbm of earth has been quarried and removed in four pits. Permission was granted only for 10,000 cbm. About 7386 cbm was removed in excess. The District Collector, Cuddalore, has requested the Revenue Divisional Officer, Cuddalore to levy cost of mineral on the illegally quarried and removed quantity and levy enhanced seigniorage fee, as per Rule 36-A of the Tamil Nadu Minor Mineral Concession Rules, 1959. The operation of the quarry has been stopped on 18.11.2022.



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5. The respondent officials shall proceed ahead as per the statement made in paragraph 5 of the status report.

6. The writ petition accordingly stands disposed of. There shall be no order as to costs.

(S.V.G., CJ.) (J.S.N.P., J.)
02.04.2024

Index : Yes/No
Neutral Citation : Yes/No
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