



WEB COPY



W.P.No.31055 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31055 of 2024

Nataraj

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Erode District.

2.The Assistant Director,
Mines and Minerals Department,
District Collector Office,
Erode District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent's order in Na.Ka.176/Kanimam/2024 dated 27.03.2024 and quash the same and consequently directing the respondents to grant permit to the petitioner to take sand from the petitioner's patta land in Survey No.298/6 situated at Punjai Puliampatti Village, Sathyamangalam Taluk, Erode District.

For Petitioner : Mr.J.Ranjith Kumar
For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the second respondent's order in Na.Ka.176/Kanimam/2024 dated 27.03.2024 and quash the same and consequently directing the respondents to grant permit to the petitioner to take sand from the petitioner's patta land in Survey No.298/6 situated at Punjai Puliampatti Village, Sathyamangalam Taluk, Erode District.

2.The case of the petitioner is that the petitioner approached the first respondent in Grievance Redressal Camp and gave representation seeking permission to take sand from his own land for his own purpose using his own tractor and the same was forwarded to the second respondent and the second respondent passed the impugned order rejecting the petitioner's request on the ground that there is no provision for his request in the Tamil Nadu Minor Mineral Concession Rules, 1959. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner's sister is having property at Punjaipuliyampatti



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Village and the ground level in the said property is very low and she needs gravel sand and since gravel sand is available in the petitioner's property, the petitioner intended to give the same and hence, in order to avoid criminal case, the petitioner made formal representation, however, his request was rejected.

4.The learned Additional Government Pleader appearing for the respondents fairly submitted that necessary permission will be granted to the petitioner, if he extract gravel sand from his own land.

5.In view of the above, the respondents are directed to grant necessary permission to the petitioner to transport gravel sand from his own property to another property.

6.This writ petition is accordingly disposed of. No costs.

25.10.2024

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

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M.DHANDAPANI,J.
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To

- 1.The District Collector,
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Erode District.
- 2.The Assistant Director,
Mines and Minerals Department,
District Collector Office,
Erode District.

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