



W.P(MD)No.3788 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **07.03.2024**

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.3788 of 2022

and W.M.P(MD)No.3295 of 2022

Annai Sandhiya Women Self Help Group

Rep. By its Animateur,

S.Panchavarnam

...Petitioner

Vs.

The District Collector,

O/o.District Collectorate,

Madurai.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order of the respondent in Na.Ka.No.1878/mines/2017 dated 01.07.2021 and quash the same as illegal and further directing the respondent directing the respondent to provide experience certificate for doing quarry work for not less than 2 years.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

This Writ Petition is filed for issuance of Writ of Certiorarified Mandamus to quash the impugned order of the respondent in Na.Ka.No.1878/mines/2017 dated 01.07.2021 and for a consequential direction to the respondent to provide experience certificate for doing quarry work for not less than 2 years.

2. The facts, which are necessary for disposal of this Writ Petition, are as follows:

2(i) Annai Sandhiya Women Self Help Group has filed this Writ Petition. The said Group is represented by its Animaterur. In the petitioner group, there are 20 members and all the members conducted regular monthly meeting and passed resolution after discussing agenda. On 21.11.2017, Government Gazette Publication was issued regarding blue metals quarry lease, which is situated on



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the Government Poromboke lands and the registered self help group was given preference on the quarry lease.

2(ii) In the Government Gazette Publication dated 21.11.2017, it is stated that experience certificate for doing quarrying work for not less than 2 years has to be enclosed along with the quarry lease application. Though all the members of the petitioner group were doing quarry work for more than 20 years, no such experience certificate has been provided to them. The petitioner group sent a representation to the respondent to provide experience certificate for doing quarry work, however the same was not considered. Hence, the petitioner has also filed a writ petition in W.P.(MD)No. 16923 of 2019 before this Court and this Court directed to conduct an enquiry and to take a decision.

2(iii) Pursuant to the above direction, an enquiry was conducted. However, the respondent held that the certificate which was relied by the petitioner of one Gurusamy of Melakuyilkudi,



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Madurai District is not a genuine certificate that there is no proof for the said Gurusamy conducted any quarry. Accordingly, the impugned order in Na.Ka. No. 1878/mines/ 2017 dated 01.07.2021 was passed.

3. The learned counsel for the petitioner submits that the petitioner group is doing quarry work for more than 10 years under one K.Gurusamy, the Sub Contractor, however the same has not been considered properly.

4. The learned Additional Government Pleader submits that Rules 8, 10(A) of the Tamil Nadu Mines and Minerals Concession Rules, provides for a concession in grant of quarry to the Women Self Help Group and to the appointed labours. Lease would be granted with 50% concession of the lease amount. Taking advantage of this provision, false claims have been made and therefore, the respondent is insisting for experience certificate. He would further



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submit that the petitioner appeared before the respondent and submitted a certificate given by Mr.Gurusamy, Melakuilkudi, Madurai District a Stone Braking Contractor, in which there is no proof for the said Gurusamy is a Stone Quarry Contractor. It is his further submission that the work experience is given in the letter pad of the said Gurusamy and the letter head indicates that he is the Vice President of Madurai District SC/ST Union of a political party, which cannot be accepted as a valid document/proof. He prays for dismissal of this Writ Petition.

5. This Court gave its anxious consideration to the rival submissions and carefully perused the materials available on record.

6. The relevant portions of the impugned order is extracted herein under :

"The Revenue Divisional Officer, Madurai, in his enquiry report dated 04.01.2021 has stated that



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when a direct inspection was conducted in a stone quarry situated in S.No.104/1, only male workers were working and there are no female workers and especially no female workers belonging to the petitioner Self Help Group were working there.

The Revenue Divisional Officer, Madurai in his enquiry report has stated that since the members of the petitioner group did not work in quarry, there is no way to issue experience certificate to them and on the basis of that finding, the request of the petitioner to issue experience certificate is rejected”.

7. On a plain reading of the impugned order, it is made clear that the members of the petitioner group are not having any valid proof that they have done quarry operations and having eligibility to get the concession as per Rules 8, 10(A) of the Tamil Nadu Mines and Minerals Concession Rules. Therefore, this Court is not inclined to interfere with the impugned order.



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8. In the result, this Writ Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
NCC : Yes / No
CM

To,
The District Collector,
O/o.District Collectorate,
Madurai.



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B.PUGALENDHI, J.

CM

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