



W.P(MD)No.3924 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3924 of 2024

and

W.M.P.(MD)No.3806 of 2024

Ramesh

... Petitioner

Vs.

1.The Additional Chief Secretary,
Natural Resources Department,
Fort St.George, Chennai.

2.The Commissioner,
Geology and Mining Department,
Industrial Estate, Guindy,
Chennai.

3.The District Collector,
Dindigul District,
Dindigul.

4.The Assistant Director,
Geology and Mining,
Dindigul District,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents from interfering with the peaceful possession of petitioner's agricultural land situated



W.P(MD)No.3924 of 2024

SF.Nos.270/1, 272/2 of Sivagnanapuram Village of Nilakottai, Dindigul District by permitting stone quarry operation in SF.Nos.263/1 (part 2) and 263/1 (part 3) of Sivagnanapuram Village, Nilakottai Taluk, Dindigul District by considering petitioner's representation dated 12.01.2024 and 03.02.2024 and pass appropriate orders on merits and in accordance with law within the period that may be stipulated by this Court.

For Petitioner : Mr.Sricharan Rangarajan, Senior Counsel,
For Mr.M.Fernand.

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader.

ORDER

The writ petition was listed “for admission” on 20.02.2024. After hearing the learned senior counsel for the petitioner, the following order was passed:-

“Heard the learned senior counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2. The case of the petitioner is that Survey No.270/1 and 272/2 of Sivagnanapuram Village, Nilakottai Taluk are the petitioner's patta land and that the said lands cannot be used for transporting the quarried mineral.



W.P(MD)No.3924 of 2024

3. *The petitioner's apprehension is that since the quarry in the vicinity had been granted to a third party, pressure may be brought up on the petitioner to part with the petition mentioned land for permitting transportation of the quarried mineral.*

4. *The learned Special Government Pleader would point out that FMB has been enclosed at Page No.18 of the typed set of papers. A detail mark indicating the existence of the cart track is seen.*

5. *The learned counsel for the petitioner would state that the detail mark can only denote the existence of a cart track through which carts can pass through. No lorry transporting the quarried mineral can be allowed to pass through such cart track. According to the learned senior counsel, dimensions of the cart track will have to be finalized. This issue calls for some consideration. The learned Special Government Pleader seeks time to get instructions.*

6. *Call this case on 21.02.2024 at 04.00 pm.”*

2.Today ie., 22.02.2024, when the matter was taken up for hearing, the learned Special Government Pleader clarified that the transportation of the quarried mineral will not be through the petition mentioned patta lands of the



W.P(MD)No.3924 of 2024

writ petitioner and that quarry operator will have to adopt some other alternative route. The submission of the learned Special Government Pleader is placed on record.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

21.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The Additional Chief Secretary,
Natural Resources Department,
Fort St.George, Chennai.
- 2.The Commissioner,
Geology and Mining Department,
Industrial Estate, Guindy,
Chennai.
- 3.The District Collector,
Dindigul District,
Dindigul.
- 4.The Assistant Director,
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W.P(MD)No.3924 of 2024



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W.P(MD)No.3924 of 2024

G.R.SWAMINATHAN, J.

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W.P(MD)No.3924 of 2024

21.02.2024