



W.P.(MD)N.19448 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.19448 of 2024

Susila

... Petitioner

Vs.

1. The District Collector,
Dindigul.

2. The Assistant Director of Geology and Mining,
Dindigul.

3. The Executive Engineer,
Water Resources Department,
Gundaru Basin Division,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to permit the Department of Mining Engineering, Anna University, Chennai to conduct the blasting study in the subject properties in Survey Nos. 183/3, 194/1 and 194/7 in Viruveedu Village, Nilakottai Taluk, Dindigul District and to file a technical expert opinion within a time frame that may be fixed by this Court.



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For Petitioner : Mr.J.Barathan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the first respondent to permit the Department of Mining Engineering, Anna University, Chennai to conduct the blasting study in the subject properties in Survey Nos. 183/3, 194/1 and 194/7 in Viruveedu Village, Nilakottai Taluk, Dindigul District and to file a technical expert opinion within a specific time.

2. Heard both sides and perused the materials placed on record.

3. It is the contention of the petitioner that the petitioner had applied for quarrying licence in Survey Nos.183/3, 194/1 and 194/7 in Viruveedu Village, Nilakottai Taluk, Dindigul District. After obtaining necessary clearance from all the departments, a licence has been granted on 08.06.2023 by the second respondent. In this regard, an agreement is also entered between the petitioner and the second respondent. Thereafter based on a letter addressed by some agriculturists, the third respondent



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has written a letter dated 31.07.2023 to the first respondent, recommended to the first respondent to cancel the quarrying licence. The first respondent appointed the second and third respondents to conduct a joint inspection and to file a report. The joint inspection committee inspected the quarry on 05.08.2023 and decided to get technical expert opinion from the Department of Mining Engineering, Anna University, Chennai. In this regard, the Tahsildar also sent a proposal to the first respondent on 05.08.2023. A letter also sent to the Anna University in this regard by the first respondent on 23.09.2023, requesting to inspect the quarrying site and to give a technical expert opinion. The Anna University also replied that they will charge an amount of Rs.3,54,000/- towards such inspection. According to the writ petitioner, she has prepared to pay that amount also for such an inspection. Having sent such a letter, now the first respondent is not permitting the Anna University to conduct the inspection. Hence, the petitioner seeks a direction.

4. The learned Additional Government Pleader appearing for the respondents, on instructions submitted that in this regard, the letter dated 23.09.2023 in Na.Ka.No.171/Minerals/2023 sent by the first



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respondent in which the first respondent requested the Anna University to cause inspection on the quarrying site. The said letter also acknowledged by the department of Mining Engineering of Anna University. They agreed to cause inspection provided the amount of Rs. 3,54,000/- is paid. Hence, it is the contention that the first respondent has no objection for the Anna University to carry out the inspection. As the first respondent has no objection of quarrying the inspection by Anna University, let the petitioner meet out the expenses as agreed. Hence, no further direction is required regarding the submission made by the petitioner in this writ petition.

5. With the above observation, this writ petition is disposed of.

No Costs.

14.08.2024

NCC : Yes / No

Index : Yes / No

PJL

To

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3. The Executive Engineer,
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N.SATHISH KUMAR , J.

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