



W.P(MD)No.16652 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.16652 of 2018
and
W.M.P(MD)No.14737 of 2018**

K.Balamurugan

... Petitioner

VS.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Assistant Director of Mines and Minerals,
Dindigul District,
Dindigul.

3.The Tahsildar,
Nilakottai Taluk Office,
Nilakottai,
Dindigul District.

4.The District Forest Officer,
District Forest Office,
Dindigul District,
Dindigul.

5.J.Ammaiyappan

... Respondents



W.P(MD)No.16652 of 2018

WEB C **PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to cancel the license/permission which was given to the fifth respondent to operate the quarry in S.F.No.480/4, in Kombaipatti Village, Nilakottai Taluk, Dindigul District on the basis of the petitioner's representations dated 10.05.2018 and 14.05.2018.

For Petitioner	: Mr.T.Vadivelan
For Respondent Nos.1 to 4	: Mr.T.Amjadkhan Government Advocate
For Respondent No.5	: Mr.M.S.Jeyakarthick

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Prayer in this Writ Petition is to direct the respondents 1 to 4 to cancel the license/permission which was given to the fifth respondent to operate the quarry in S.F.No.480/4, in Kombaipatti Village, Nilakottai Taluk, Dindigul District on the basis of the petitioner's representations, dated 10.05.2018 and 14.05.2018.



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2.Today, when the matter was taken up for hearing, learned Government Advocate appearing for the respondents 1 to 4 would submit that originally, lease has been granted in favour of one K.C.Jeyabalan, who is the father of the fifth respondent upto 21.02.2026. The quarrying operation commenced from 22.02.2021. In the meantime, the said K.C.Jeyabalan died and thereafter, there is no mining operation taken place in the aforesaid property in question.

3.Even though the petitioner has arrayed J.Ammaiyappan, son of the original lessee K.C.Jayabalan as fifth respondent, considering the fact that no quarrying operation has been taken place in the aforesaid property in question after the demise of the said K.C.Jayabalan, we are not inclined to pass any order in the Writ Petition. However, we make it that if there is any violation of the terms and conditions, the petitioner is at liberty to approach the appropriate forum and work out his remedy in the manner known to law.



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4.With the above observation, this Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
20.02.2024
(1/2)

NCC : Yes / No
Index : Yes / No
ps

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Assistant Director of Mines and Minerals,
Dindigul District,
Dindigul.
- 3.The Tahsildar,
Nilakottai Taluk Office,
Nilakottai,
Dindigul District.
- 4.The District Forest Officer,
District Forest Office,
Dindigul District,
Dindigul.

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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.16652 of 2018

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(1/2)