



W.P.No.2921 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2921 of 2024
And
W.M.P.No.3167 of 2024**

B.Saraswathi

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Industries Department,
Fort St.George,
Chennai – 600 009.

2.The Director of Geology and Mining,
Department of Geology and Mining,
Guindy,
Chennai – 600 032.

3.The District Collector,
Chengalpattu District,
Chengalpattu.

4.The Deputy/ Assistant Director of Geology and Mining,
Department of Geology and Mining,
Chengalpattu District,
Chengalpattu.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorari to call for the records relating to the



W.P.No.2921 of 2024

impugned memorandum of the third respondent bearing Ref.Na.Ka.No.234/Q1/2021-33, dated 13.10.2021 with reference to the stone quarry (patta land) over an extent of 1.66.0 Hectares S.F.No.346/2 in Murugambakkam Village, Madurantakam Taluk, Chengalpattu District, formerly Kancheepuram District, quash the same.

For Petitioner : Mr.V.Sanjeevi
For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorari to call for the records relating to the impugned memorandum of the third respondent bearing Ref.Na.Ka.No.234/Q1/2021-33, dated 13.10.2021 with reference to the stone quarry (patta land) over an extent of 1.66.0 Hectares S.F.No.346/2 in Murugambakkam Village, Madurantakam Taluk, Chengalpattu District, formerly Kancheepuram District, quash the same.

2.The case of the petitioner is that the petitioner was granted quarry lease for quarrying rough stones and earth in S.F.No.346/2 measuring an extent of 1.66.0 Hectares in Murugambakkam Village, Madurantakam Taluk, Chengalpattu District, formerly Kancheepuram



W.P.No.2921 of 2024

District for a period of five years commencing from 29.09.2014 to 28.09.2019. However, it is alleged that the petitioner had transported the quantity exceed the EC quantity and therefore, the third respondent imposed a 100% cost penalty to the tune of Rs.1,57,91,660/- as if the petitioner transported exceed EC quantity of 41,557 Cu.M. Challenging the same, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner submitted that the present writ petition is filed solely on the ground that, without issuing any show cause notice to the petitioner, the impugned order was passed. Hence, the impugned order is in clear violation of principles of natural justice.

4.The learned Additional Government Pleader appearing for the respondents fairly conceded that before passing the impugned order, no show cause notice was issued to the petitioner and no enquiry was conducted. Hence, for the limited purpose, this Court may set aside the impugned order and remit the matter back to the third respondent for fresh consideration, by fixing a time limit, within which



W.P.No.2921 of 2024

an appropriate order shall be passed, after affording an opportunity of hearing to the petitioner.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.On a perusal of the impugned order dated 13.10.2021, it is evident that no show cause notice was issued to the petitioner and no proof has been produced to establish that enquiry was conducted before passing the impugned order.

7.In view of the fair submission made by the learned Additional Government Pleader, this Court without expressing any opinion on the merits of the case, is inclined to set aside the impugned order dated 13.10.2021 passed by the third respondent on the ground of violation of principles of natural justice and remand the matter back to the third respondent for fresh consideration. Accordingly, the impugned memorandum of the third respondent dated 13.10.2021 is set aside and the matter is remanded back to the third respondent for fresh consideration. The third respondent is directed to furnish the necessary particulars to the petitioner and conclude the entire



W.P.No.2921 of 2024

proceedings within a period of four months from the date of receipt of a copy of this order.

8. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

10.11.2025

pri

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.
2. The Director of Geology and Mining,
Department of Geology and Mining,
Guindy,
Chennai – 600 032.
3. The District Collector,
Chengalpattu District,
Chengalpattu.
4. The Deputy/ Assistant Director of Geology and Mining,
Department of Geology and Mining,
Chengalpattu District,
Chengalpattu.

5/6



WEB COPY



W.P.No.2921 of 2024

M.DHANDAPANI,J.
pri

W.P.No.2921 of 2024
And
W.M.P.No.3167 of 2024

10.11.2025