



W.P.No.3123 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 29.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.3123 of 2025 and
W.M.P.No.3434 of 2025

K.Muruganandan

... Petitioner

Vs.

1. The District Collector,
Coimbatore District, Coimbatore.
2. The Assistant Director of Geology & Mining,
Geology & Mining Department, Coimbatore,
Coimbatore District.
3. The Revenue Divisional Officer,
Coimbatore South, Coimbatore District.
4. The Taluk Tasildhar, Perur Taluk,
Coimbatore District.

...Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari, calling for the records relating to the impugned order having reference No.Na.ka.En.8128/2024/A2 dated 19.12.2024 issued by the third respondent and quash the same.



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For Petitioner : Mr.R.Bharath Kumar

For Respondent : Mr.E.Vijay Anand, Addl.Govt. Pleader
for respondents 1 to 4.

ORDER

The writ petition is filed challenging the order passed by the third respondent, directing the petitioner to pay a sum of Rs.2,38,544/- on the ground that the petitioner involved in an illegal quarry of the minerals in S.Nos. 766/1 and 766/3, Ikkaraipoluvampatti Village, Perur Division, Coimbatore District. Further, as against the impugned order passed by the third respondent, the petitioner has filed an appeal on 31.12.2024 before the first respondent and the same is pending.

2. Mr.E.Vijay Anand, learned Additional Government Pleader, who takes notice for the respondents 1 to 4 would submit that, as against the impugned order passed by the third respondent, the petitioner has alternative remedy under Rule 36(c) of the Tamil Nadu Minor Mineral Concession Rules, 1959 before the first respondent and the appeal filed by the petitioner is also pending before the first respondent. Hence, the petition is not maintainable before this court.

3. Since the appeal filed by the petitioner is pending before the



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first respondent, this court is not inclined to entertain this writ petition.

4. Accordingly, this writ petition is disposed of with a direction to the first respondent to dispose of the appeal filed by the petitioner dated 31.12.2024 and pass final orders on its own merits, after affording reasonable opportunity to the petitioner, within a period of four weeks from the date of receipt of copy of the order. Till the appeal is disposed of by the first respondent, the respondent shall not take any coercive steps against the petitioner for recovery of amount. There shall be no order as to costs.

29.01.2025

Index:Yes/No
Internet:Yes/No
mst

To

1. The District Collector,
Coimbatore District, Coimbatore.
2. The Assistant Director of Geology & Mining,
Geology & Mining Department, Coimbatore,
Coimbatore District.
3. The Revenue Divisional Officer,



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Coimbatore South, Coimbatore District.

4. The Taluk Tasildhar, Perur Taluk,
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S.SOUNTHAR, J.

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