



W.P.No.8905 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.8905 of 2023

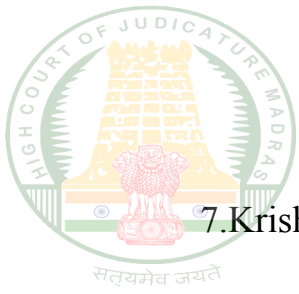
Muralidharan

... Petitioner

Vs.

- 1.The District Collector,
Coimbatore District,
Coimbatore.
- 2.The Sub Collector,
Pollachi Taluk,
Coimbatore District.
- 3.The Tahsildar,
Pollachi Taluk,
Coimbatore District.
- 4.The Block Development Officer,
Office of Block Development (North),
Pollachi,
Pollachi Taluk,
Coimbatore District.
- 5.Zamin Puravipalayam Panchayat,
Rep. by its President,
Pollachi Taluk,
Coimbatore District.
- 6.L.Nagendran

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7.Krishnamoorthy

... Respondents

WEB COPY Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 1, 4 and 5 to consider the petitioner's representation dated 16.02.2023.

For Petitioner : Mr.N.Ponraj

For Respondents 1 to 5 : Mr.M.Rajendiran,
Additional Government Pleader

For Respondent 6 : Mr.C.Prabakaran,

For Respondent 7 : Mr.N.Umapathi

ORDER

This writ petition has been filed by the petitioner to direct the respondents 1, 4 and 5 to consider the petitioner's representation dated 16.02.2023.

2. The case of the petitioner is that the petitioner operates a quarry located in S.F.No. 311/1A(P) in Puravipalayam Village, Pollachi Taluk, Coimbatore District, which has been in operation for more than a decade. The petitioner relies on Rule 36(1-A)(c) of the Tamil Nadu Minor Mineral



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Concession Rules, 1959, which prohibits the approval of layouts or building plans within a 300-meter radius of a quarry site unless prior approval is obtained from the Director of Geology and Mining. However, the 7th respondent obtained approval and commenced the construction of a building in violation of this rule. In response, the petitioner submitted a representation dated 16.02.2023, requesting the cancellation of the building plan approval. Despite this, no action has been taken on the petitioner's request. Therefore, the petitioner has approached this Court by filing this Writ Petition, seeking necessary reliefs.

3. Though many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the respondents 1 to 5 to consider the petitioner's representation dated 16.02.2023 on merits, in accordance with law and pass appropriate orders within a time frame to be fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents 1 to 5 has no objection for the said order being passed by this



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5. Heard the learned counsel on either side and perused the materials available on record.

6. In view of the submission made by the learned counsel on either side, without going into the merits of the case, this Court directs the fourth respondent to consider the petitioner's representation dated 16.02.2023, after giving due notice to the petitioner as well as respondents 6 & 7, affording an opportunity of hearing, considering the documents filed by both the parties on merits, in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the aforesaid observation and direction. No costs.

25.03.2025

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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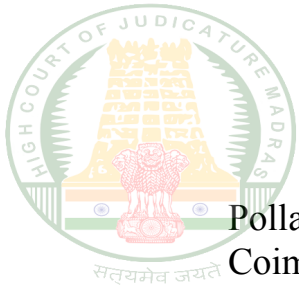


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To:

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Pollachi Taluk,
Coimbatore District.

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J.SATHYA NARAYANA PRASAD,J.

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