



W.P.No.15651 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED :29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15651 of 2025
& W.M.P.Nos.17697 & 17698 of 2025

C.Sumathi
W/o.A.Nandakumar,
No.79-D, Avinashi Road,
Annur,
Coimbatore District-641 653.

... Petitioner

/versus/

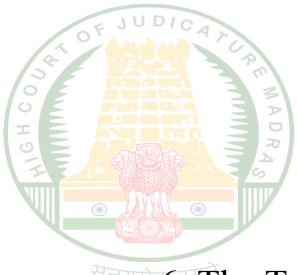
1. The District Collector,
Erode District,
Erode.

2. The Regional Deputy Director,
Local Planning Authority (L.P.A),
Erode District,
Erode.

3. The Deputy Director Of Geology And Mining,
Erode District,
Erode.

4. The Block Development Officer,
Nambiyur Panchayat Union,
Nambiyur,
Erode District.

5. The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.



W.P.No.15651 of 2025

6. The Tahsildar,
Nambiyur Taluk,
Erode District.

7. The Executive Engineer,
TANGEDCO,
Sathyamangalam,
Erode District.

8. Anjanur Village Panchayat,
Rep By Its President
Anjanur,
Nambiyur Taluk,
Erode District.

9. Joseph Selvaraj,
Church Street,
Karumathampatti,
Somanur,
Coimbatore District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 1 to 8 from granting approval for any layout or Building Permission within the prohibited distance of 300 Meters of the petitioner's quarrying site in Survey No.41/1A(part) at Anjanur village, Nambiyur Taluk, Erode district

For Petitioner : Mr.K.Selvaraj.
For Respondent : Mr.Stalin Abhimanyu, AGP,
for R1 to R3, R5 & R6

: Mr.N.Muthuvel, for R3
: Mr.I.Syed Sibghathulla,
(TANGEDCO), for R7



WEB COPY



W.P.No.15651 of 2025

ORDER

The writ petition is filed forbearing the respondents 1 to 8 from granting approval for the layout or Building Permission within the prohibited distance of 300 metres of the petitioner's quarrying site in S.No.41/1A (part) at Anjanur village, Nambiyur Taluk, Erode District.

2. The contention of the Learned Counsel for the petitioner is that petitioner has been duly permitted to carry out the quarry operation in the aforesaid Survey numbers. No construction was there when the permission was granted and nobody can put up any construction in view of Section 36(1-A(c) of the Tamil Nadu Minor Mineral Concession Rules, 1959, within 300 metres from the quarry site. Therefore, he seeks the relief of forbearing the respondents 1 to 8 from granting approval.

3. When the matter came up for hearing, the Learned Additional Government Pleader appearing on behalf of the respondents 1 to 3, 5 and 6 would submit that when the quarrying licence was given, the place was duly inspected and no construction was there within the 300 meters.



W.P.No.15651 of 2025

4. The Learned Counsel appearing on behalf the 4th respondent

would submit that no permission has been granted by the 4th respondent.

5. In view thereof, since it is now mentioned that the Block Development Officer has not granted any permission, the matter requires examination by the 3rd respondent. The 3rd respondent, namely, the Deputy Deputy Director of Geology and Mining shall take up the representation of the petitioner dated 02.01.2024.

6. The Writ Petition is disposed of at the admission stage without notice to the respondents 8 and 9.

(i) In view of the nature of order that is passed, the 3rd respondent shall take up the representation of the petitioner dated 02.01.2024.

(ii) The 3rd respondent shall issue notice to the petitioner as well as the respondents 8 and 9.

(iii) The 3rd respondent shall decide the matter in accordance with law and take such action in the manner known to law so as to prohibit any unauthorised construction being coming within the prohibited distance.



W.P.No.15651 of 2025

WEB COPY

(iv) The said exercise shall be carried out by the third respondent within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.

Consequently, connected Miscellaneous Petitions are closed.

There shall be no order as to costs.

29.04.2025

Neutral citation :No.

bsm

To,

1. The District Collector,
Erode District,
Erode.

2. The Regional Deputy Director,
Local Planning Authority (L.P.A),
Erode District,
Erode.

3. The Deputy Director Of Geology And Mining,
Erode District,
Erode.

4. The Block Development Officer,
Nambiyur Panchayat Union,
Nambiyur,
Erode District.



W.P.No.15651 of 2025

WEB

5. The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.

6. The Tahsildar,
Nambiyur Taluk,
Erode District.

7. The Executive Engineer,
TANGEDCO,
Sathyamangalam,
Erode District.

8. Anjanur Village Panchayat,
Rep By Its President
Anjanur,
Nambiyur Taluk,
Erode District.

9. The Government Pleader, High Court, Madras.



WEB COPY



W.P.No.15651 of 2025

D.BHARATHA CHAKRAVARTHY, J.

bsm

Writ Petition No.15651 of 2025

29.04.2025