



W.P No. 18091 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 18091 of 2025

Kalyanasundaram
S/o. Ramasamy, No.8-86-1,
Thimmapalayam, Marudur,
Karamadai Post,
Coimbatore District-641 104.

... Petitioner

Vs

1. The District Collector
Coimbatore District, Coimbatore.
- 2.The Assistant Director / Joint Director
District Town And Country Planning,
Door No. 50, Fci Road, Gandhima
Nagar, Ganapathy, Coimbatore-641004.
- 3.The Assistant Director
Department Of Geology And Mining,
Coimbatore District, Coimbatore.
- 4.The Commissioner
Karamadai Municipality Village,
Mettupalayam Taluk,
Coimbatore District.
- 5.The Tahsildar
Mettupalayam Taluk, Mettupalayam
Taluk, Mettupalayam, Coimbatore
District.

... Respondents



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Writ Petition under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to remove the quarry illegally functioning in Survey No.456/3C1 to an extent of 1.17.0 hectares at Karamadai Village, Mettupalayam Taluk, Coimbatore District by considering the petitioner representation dated 23.01.2025

For Petitioner : Mr.M.Karthik

For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 23.01.2025, wherein the petitioner has sought for removal of the illegal quarry that is carried out in the subject property by one R.Shanmugasundaram.

2. Heard Mr.M.Karthik learned counsel for the petitioner and Mr. E.Vijay Anand learned Additional Government Pleader for the respondents.

3. When the matter was taken up for hearing today, the learned Additional Government Pleader, based on the instructions received from the Deputy Director, Geology and Mining, Coimbatore submitted that a proper licence has been given through proceedings dated 20.10.2022 to



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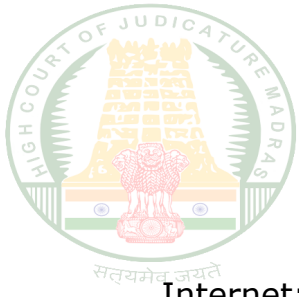
one R.Shanmugasundaram and a lease agreement has been entered into to quarry and this lease is for a period from 20.10.2022 to 19.10.2027.

4. Learned Additional Government Pleader further submitted that the said R.Shanmugasundaram filed W.P.No.29772 of 2024 for a direction not to grant any layout approval to the properties near the quarry. This writ petition was disposed of by an order dated 15.10.2024 to consider the said representation. That apart, the said R.Shanmugasundaram also filed W.P.No.32930 of 2024 for a direction to the registering authority not to entertain any documents presented for registration pertaining to the properties near the quarry. This writ petition was also disposed of on 21.12.2024.

5. In the considered view of this Court, the very basis on which the writ petition has been filed is as if illegal quarrying is done without obtaining prior approval. However, it has come to light that such quarrying is undertaken by means of a licence after obtaining prior approval and after lease deed was executed in the year 2022. Hence, the relief sought for by the writ petitioner cannot be granted. The writ petition is dismissed. No costs.

04-06-2025

Index:Yes/No
Speaking/Non-speaking order



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Internet:Yes

Neutral Citation:Yes/No

KST



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N.ANAND VENKATESH, J.

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