



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 21678 of 2025
and WMP No. 24466 of 2025**

JSM Aggregates and Sands Private Limited
Rep By Its Managing Director
Manimegalai Unnikrishnan
K101, Central Park West,
Elcot Avenue Road,
Sholinganallur, Chennai 600 119

Petitioner(s)

Vs

1. The Commissioner
Department Of Geology And Mining
Guindy, Chennai 600 032

2.The Deputy Director
Department Of Geology And Mining
State Bank Road, Gopalapuram
Coimbatore 641 018

3.The Assistant Director
Department Of Geology And Mining
State Bank Road, Gopalapuram,
Coimbatore 641 018



WEB COPY

Respondent(s)

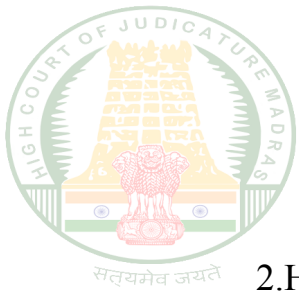
PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to issue Permit to the petitioner for carrying out quarry operations in Survey No.499/2A, 500/2, 501 situated at Sokkanur Village, Kinathukadavu Taluk, Coimbatore District as per the lease agreement dated 21.10.2020 registered as Doc No 6039 of 2020 on the file of the Sub-Registrar, Kinathukadavu.

For Petitioner(s): Mr.V.Raghavachari
Senior Counsel for
Ms.V.Srimathi

For Respondent(s): Mr.E.Vijay Anand
Additional Government Pleader
for R1 to R3

ORDER

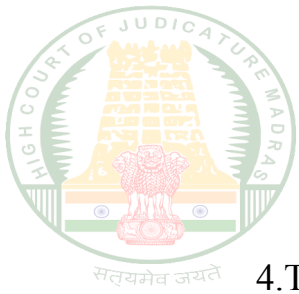
This writ petition has been filed for issue of writ of mandamus directing the 2nd respondent to issue permit to the petitioner to enable the petitioner to carry out the quarry operations in the subject property as per the lease agreement dated 21.10.2020.



WEB COPY

2. Heard Mr.V.Raghavachari, learned Senior Counsel appearing on behalf of the petitioner and Mr.E.Vijay Anand, learned Additional Government Advocate appearing on behalf of the respondents.

3. The case of the petitioner is that they applied for mining license in the year 2011 and ultimately, the 2nd respondent through proceedings dated 21.10.2020 granted mining lease and permission for quarrying rough stone for a period of five years from 21.10.2020 to 20.10.2025 and for gravel for a period of three years from 21.10.2020 to 20.10.2023. The further case of the petitioner is that the 2nd respondent issued the permit to carry out the mining operation on 05.10.2021 and it continued for some time. While so, one Muthusamy filed a Company Petition before NCLT, Chennai. Initially an interim order was granted on 13.04.2022 restraining the petitioner from carrying out mining operations. Ultimately, the NCLT passed an order dated 29.06.2022, vacating the interim order and permitting the petitioner to continue with the mining operations as per the license given by the concerned authority.



WEB COPY

4.The grievance of the petitioner is that the license is subsisting and in spite of the same, the 2nd respondent is not permitting to resume the quarry operation at the site. The last such permit was given on 28.12.2023 and thereafter, no permit was issued. Hence, representation was made in this regard and the petitioner was informed by the 3rd respondent through communication dated 01.10.2024 that proceedings are pending from NCLT and until the same is finalized, no permit can be granted. It is under these circumstances, the present writ petition came to be filed before this Court seeking for appropriate directions.

5.It is seen from records that the mining lease and permission for quarrying was granted for a period of five years insofar as rough stone is concerned and for a period of three years for quarrying gravel. The lease period is subsisting. The dispute before the NCLT also will not stand in the way of the 2nd and 3rd respondents from issuing permit, since the interim order passed by the NCLT was vacated on 29.06.2022 and it was made clear that the petitioner



WEB COPY

can continue with the mining activities. Therefore, having granted the mining license, the petitioner cannot be deprived of carrying on with the quarry work and the petitioner cannot be deprived of issuance of permit in that regard.

6.The learned Senior Counsel appearing on behalf of the petitioner submitted that presently, no one occupies the position of the 3rd respondent and it is only the 2nd respondent who take decisions regarding issuance of permit.

7.Taking into consideration the facts and circumstances of the case and the materials placed before this Court and in the light of the above discussion, there shall be a direction to the 2nd respondent to deal with the representation made by the petitioner on 11.10.2024 and issue the necessary permit in order to enable the petitioner to carry on with the mining activities till the period for which such license has been granted. This decision shall be conveyed to the petitioner, within a period of ten days from the date of receipt of copy of this order.



WEB COPY

8.This writ petition is disposed of with the above directions. No Costs.

Consequently, connected miscellaneous petition is closed.

18-06-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

ssr



WEB COPY

To

- 1.The Commissioner
Department Of Geology And Mining
Guindy, Chennai 600 032
- 2.The Deputy Director
Department Of Geology And Mining
State Bank Road, Gopalapuram
Coimbatore 641 018
- 3.The Assistant Director
Department Ofo Geology And Mining
State Bank Road, Gopalapuram,
Coimbatore 641 018



WEB COPY



8/8

WP No. 21678 of 2025

N.ANAND VENKATESH J.

SSI

WP No. 21678 of 2025

18-06-2025