



Writ Petition No.25150 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.25150 of 2025

and

W.M.P.No.28326 of 2025

K.Muthu
S/o.Kattan

Petitioner

Vs

1. The Secretary to Government
Natural Resources (MMC-2) Department,
Secretariat, Chennai-600 009.

2.The Commissioner of Geology & Mining,
Thiru.Vi.Ka.Industrial Estate, Guindy,
Chennai-600 032.

3.The District Collector,
Tiruvallur District, Tiruvallur.

4.The Deputy Director of Geology & Mining
Office of The Collectorate, Tiruvallur District,
Tiruvallur.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus calling for records relating to the first respondent's proceedings made in G.O.(D)No.30



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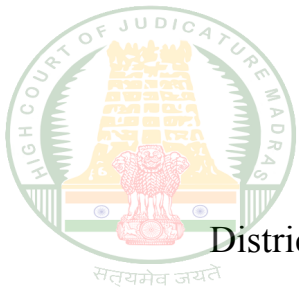
Natural Resource (MMC-2) Department dated 21.04.2025 as confirmed by the proceedings of the second respondent in Rc.No.901/MM.1/2023 dated 04.01.2024 by confirming the third respondent's proceedings in Rc.No.393/2018/G&M-2 dated 15.09.2023 and quash the same and further direct the respondents to grant further period of 42 days with necessary transport permit enabling the petitioner to quarry 21760 Cubic Metre of Gravel (3850 Lorry Loads Approximately) in Public works Department Lake comprised in S.F.No.391 (P), Sengarai Village, Uthukottai Taluk, Tiruvallur District and transport the same at his choice within the time as prescribed by this Court.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 21.04.2025 confirming the proceedings of the second respondent dated 04.01.2024, which in turn confirmed the proceedings of the third respondent dated 15.09.2023 and for a direction to the respondents to grant a further period of 42 days to the petitioner with necessary transport permit to enable the petitioner to quarry 21760 Cubic Metre of gravel in the Public Works Department Lake comprised in S.F.No.391 (P), Sengarai Village, Uthukottai Taluk, Tiruvallur



District.

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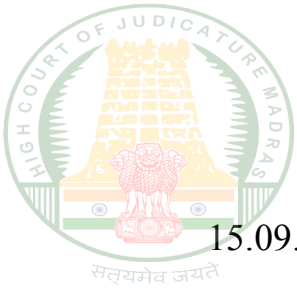


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2. Heard Mr.M.Muthappan, learned counsel for the petitioner and Mr.Stalin Abhimanyu, learned Additional Government Pleader appearing for respondents.

3. The grievance expressed by the petitioner is that permission was granted by the District Collector through proceedings dated 05.06.2023 to quarry 29160 cubic metre of gravel in the Public Works Department Lake for a period of 55 days. The petitioner also paid the seigniorage fees and other amounts. A lease deed was executed in favour of the petitioner. However, the petitioner was able to quarry only for four days over a quantity of 2400 Cubic Metre. Thereafter, the petitioner was able to quarry for a period of 9 days out of 14 days. Subsequently, the last period where the petitioner was able to quarry was from 18.08.2023 to 11.09.2023. On 04.09.2023, the petitioner surrendered the permission and he filed a petition seeking for extension of 42 days since he was not able to carry on the quarrying operation for the entire period because of natural calamities.

4. The District Collector, through proceedings dated



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15.09.2023, rejected the claim made by the petitioner on the ground that

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rule does not provide for any extension of period. The same was confirmed by the second respondent through proceedings dated 04.01.2024 and it was further confirmed by the first respondent through proceedings dated 21.04.2025. In the considered view of this Court, from 04.09.2023 onwards, the petitioner has not quarried in the property. At this length of time, there is no question of granting any extension of time to the petitioner. That apart, this Court does not find any illegality in the orders passed by the concerned authorities. If at all the petitioner is aggrieved, the petitioner can only claim compensation for the loss sustained by him. It is also left to the petitioner to make a fresh representation to the District Collector seeking for refund of the lease amount, which corresponds to those 42 days. The same shall be independently dealt with by the District Collector and a decision shall be taken and informed to the petitioner within a period of six (6) weeks from the date of receipt of representation from the petitioner. Except giving this clarity, no further orders can be passed in this writ petition.

This writ petition is disposed of with the above direction. No



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costs. Consequently, connected miscellaneous petition is closed.

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Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Secretary to Government,
Natural Resources (MMC-2) Department,
Secretariat, Chennai-600 009.

2. The Commissioner of Geology & Mining,
Thiru. Vi. Ka. Industrial Estate,
Guindy, Chennai-600 032.

3. The District Collector,
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N.ANAND VENKATESH, J
gm



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