



W.A.(MD).Nos.1026 of 2020 batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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RESERVED ON : 27.01.2025

PRONOUNCED ON : 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

**W.A.(MD).Nos.1026, 1034, 1105, 1109, 1112, 1233, 1028, 1030, 1032, 1188,
1219 and 1226 of 2020**

W.A.(MD).No.1026 of 2020:

S.Vaikundarajan
S/o. A.S.V.Subbiah Nadar,
Managing Partner,
V.V.Mineral,
17C, Keeraikaranthattu,
Tisaiyanvillai, Tirunelveli District.

... Petitioner

Vs.

The State of Tamil Nadu,
Rep by its Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai – 600 009.

... Respondent

PRAYER: Writ Appeals filed under Clause 15 of Letters Patent, to set aside the order passed in W.P.(MD).No.3182 of 2020 dated 17.03.2020 and to quash the respondent's letter No.7323/MMD-2/2019-2, dated 31.01.2020 and to direct the respondent to provide the relevant documents as sought for by the appellant in reply dated 01.08.2019.



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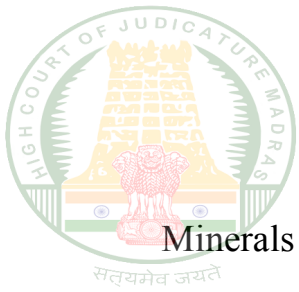
For Petitioner : Mr.M.Sricharan Rangarajan, Senior Counsel
for Mr.J.Kingsly Solomon
For Respondents : Mr.Aravind P.Datar, Senior Counsel
asst by Mr.B.Vijay,
Additional Government Pleader

COMMON JUDGMENT

S.M.SUBRAMANIAM, J.

The Writ Appeals have been instituted by Mr.S.Vaikundarajan, the Managing Partner of M/s.V.V.Mineral. Mr.S.Vaikundarajan filed 12 Writ Petitions before the Madurai Bench of Madras High Court, challenging the denial of copies of documents sought for under the Right to Information Act by the State Government for furnishing reply to the show cause notices issued towards premature termination of 12 mining leases granted in their favour. The Single Judge of the Madurai Bench of Madras High Court dismissed all the writ petitions and imposed cost of Rs. 10,000/-. These 12 Writ Appeals have been instituted challenging the order of the learned Single Judge passed in the Writ Petitions. All the 12 Writ Appeals have been transferred to this Court and tagged along with Suo Motu PIL W.P.No.1592 of 2015.

2. In respect of the above Writ Appeals, the Central Government by notification SO. No. 2356(E) dated 11.07.2016 made amendment to Part B, Atomic Minerals in the First Schedule of the Act by adding Beach Sand



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Minerals i.e., economic heavy minerals found in the teri or beach sands, which include Ilmenite, Rutile, Leucoxene, Garnet, Monazite, Zircon and Sillimanite.

3. The Schedule A of AMCR 2016, prescribes particulars of threshold value for atomic minerals. The Threshold value was prescribed as 0.75% Monazite in total heavy minerals.

4. The Central Government amended AMCR, 2016 vide GSR 134(E) dated 20.02.2019 and the Schedule A was amended and as per the amendment, the threshold values for Beach Sand Minerals occurring in Beach and other placed deposits in association with Monazite are notified as above threshold.

5. The Central Government by the Order dated 01.03.2019, ordered that it is expedient in the interest of regulation of mines and mineral development and conservation of mineral resources to pre-maturely terminate all the existing mineral concessions of BSM held by private persons/companies in the country and directed the State Government to take necessary action as per the provision of 4A(1) and 4A(3) of the MMDR Act, 1957.

6. Pursuant to the directions issued by the Central Government, show



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cause notices were issued to the private respondents and after providing them

with a reasonable opportunity to be heard, the Government passed orders prematurely terminating the mining leases granted in favour of the respondents.

7. Apart from that, none of the private respondents have filed Writ petitions, challenging the directions issued by the Central Government vide Order dated 01.03.2019, directing the State Governments to take necessary actions as per the provisions of section 4A(1) and 4A(3) of the MMDR Act 1957.

8. In view of the fact that the Writ Petitions have been instituted challenging the show cause notices, the Writ Court has rightly dismissed the Writ Petitions, since the Writ Petitions have been instituted during the pendency of the Suo Motu PIL and connected batch of Writ Petitions, the learned Single Judge dismissed the Writ Petition with costs. This Court do not find any infirmity and perversity in respect of the orders passed by the learned Single Judge in the batch of Writ Appeals.

9. Accordingly, the Writ Appeals are dismissed. No costs. Consequently, the connected Miscellaneous Petitions, if any, are closed.



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[S.M.S., J.]

[M.J.R., J.]

17.02.2025

Index: Yes/No

Speaking/Non-speaking order

gd

To

The Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai – 600 009.



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W.A.(MD).Nos.1026 of 2020 batch

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

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Pre-delivery Judgment made in
W.A.(MD).Nos.1026 of 2020 batch

17.02.2025

W.A.(MD).Nos.1026, 1034, 1105, 1109, 1112, 1233, 1028, 1030, 1032,



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1188, 1219 and 1226 of 2020

WEB **S.M.SUBRAMANIAM, J.**
AND
M.JOTHIRAMAN, J.

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

Today, this matter has been listed under the caption 'for being mentioned'.

2. In the original Judgment dated 17.02.2025, the cause title for the case number W.A.(MD) No.1026 of 2020 alone has been typed and for the other cases, the cause title, the name of the counsels appeared and to addresses were not typed.

3. Hence, cause title for the other cases shall also be included as follows:

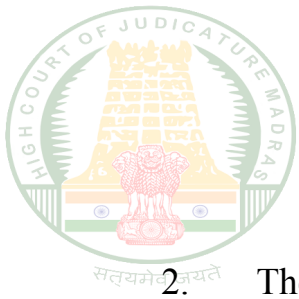
W.A.(MD)Nos.1028, 1030, 1032 & 1034 of 2020

S.Vaikundarajan
all W.A's

... Appellant in

Vs.

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai - 600 009.



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2. The Government of India,
Represented by the Secretary,
Ministry of Mines,
Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.

3. The Government of India,
Represented by the Secretary,
Department of Atomic Energy,
Anushakti Bhavan,
Chhatrapati Shivaji Maharaj Marg,
Mumbai - 400 001.

... Respondents in all

W.A's

[R2 & R3 are suo motu impleaded vide Court order dated
23.11.2020 made in W.A.(MD).Nos.1028, 1030, 1032 and
1034 of 2020 by NKKJ & BPJ]

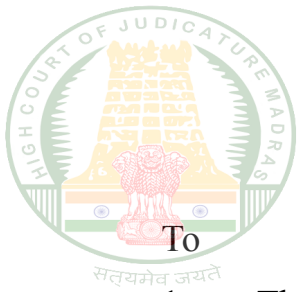
Common Prayer:

Writ Appeals filed under Clause 15 of the Letter Patent of 1865, against the order passed in W.P(MD).Nos.3185, 3187, 3191 & 3178 of 2020 dated 17-03-2020 in dismissing the writ petition and giving further directions to the respondent to hold an inquiry, without furnishing copies of the documents relied upon by the respondent.

(in all W.A's)

For Appellant : Mr.M.Sricharan Rangarajan, Senior Counsel
for Mr.J.Kingsly Solomon

For Respondents : Mr.Aravind P.Datar, Senior Counsel
asst by Mr.B.Vijay,
Additional Government Pleader for R1
: No appearance for R2 and R3



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To

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Government of India,
Represented by the Secretary,
Ministry of Mines,
Shastri Bhawan,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.
3. The Government of India,
Represented by the Secretary,
Department of Atomic Energy,
Anushakti Bhavan,
Chhatrapati Shivaji Maharaj Marg,
Mumbai - 400 001.

W.A.(MD)No.1105, 1109, 1112, 1188, 1219, 1226 & 1233 of 2020

S.Vaikundarajan
W.A's

... Appellant in all

Vs.

The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai - 600 009.
W.A's

... Respondent in all

Common Prayer:

Writ Appeal filed under Clause 15 of the Letter Patent of 1865, against the



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orders passed in W.P(MD).Nos. 3189, 3184, 3188, 3193, 3186, 3181 & 3183 of 2020 dated 17-03-2020 in dismissing the writ petition and giving further directions to the respondent to hold an inquiry, without furnishing copies of the documents relied upon by the respondent.

(in all W.A's)

For Appellant : Mr.M.Sricharan Rangarajan, Senior Counsel
for Mr.J.Kingsly Solomon

For Respondents : Mr.Aravind P.Datar, Senior Counsel
asst by Mr.B.Vijay,
Additional Government Pleader

To

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Industries (MMD.2) Department,
Secretariat, Fort St.George,
Chennai - 600 009.



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W.A.(MD).Nos.1026 of 2020 batch

S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

4. The Registry is directed to issue a fresh order copy by incorporating the above cause title.

(S.M.S., J.) (M.J.R., J.)
20.03.2025

veda

W.A.(MD).Nos.1026, 1034, 1105, 1109, 1112,
1233, 1028, 1030, 1032, 1188, 1219 and 1226 of 2020