



Review Application (Writ).Nos.20 & 21 of 2017

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

Review Application (Writ).Nos.20 & 21 of 2017

Review Application (Writ).No.20 of 2017:

M/s.Transworld Garnet India Private Limited,
Rep by its General Manager,
Stephen David,
Karichuthu Uvari,
Radhapuram Taluk,
Tirunelveli District.

... Petitioner

Vs.

1.The Inspector of Panchayat,
(District Collector),
Tirunelveli.

2.Commissioner of Panchayat Union,
Radhapuram,
Tirunelveli District.

3.The Block Development Officer,
Radhapuram,
Tirunelveli District.

4.Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai, 76, Mount Salai,



Review Application (Writ).Nos.20 & 21 of 2017

Guindy, Chennai – 600 032.

5.Principal Secretary,
Government of Tamil Nadu,
Ministry of Environment and Forests,
Fort St.George, Chennai – 600 009.
[R4 & 5 impleaded vide order dated 12.11.2021
in Rev.Aplw.No.20 of 2017]

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 r/w Section 114 of Code of Civil Procedure, to review the order dated 09.01.2017 passed by this Court in WP.(MD).No.19715 of 2016.

For Petitioner : Mr.Srinath Sridevan, Senior Counsel
T.K.Bhaskar
For Respondents : Mr.Aravind P.Datar, Senior Counsel
asst by Mr.B.Vijay,
Additional Government Pleader (for R1-3&4)
Mr.B.N.Suchindran, Standing counsel (for R4)

Review Application (Writ).No.21 of 2017:

M/s.V.V.Mineral
Rep by its Manager,
C.Sakthi Ganapathy,
Keeraikaranthattu (via),
Tisayanvilai – 627 657,
Tirunelveli District.

... Petitioner

Vs.

- 1.The Inspector of Panchayat,
(District Collector),
Tirunelveli.
- 2.Commissioner of Panchayat Union,
Radhapuram,
Tirunelveli District.
- 3.Commissioner of Panchayat Union,
Valliyoar,
Tirunelveli District.



Review Application (Writ).Nos.20 & 21 of 2017

4.The Block Development Officer,
Radhapuram,
Tirunelveli District.

5.Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai, 76, Mount Salai,
Guindy, Chennai – 600 032.

6.Principal Secretary,
Government of Tamil Nadu,
Ministry of Environment and Forests,
Fort St.George, Chennai – 600 009.

[R5 & 6 impleaded vide order dated 12.11.2021
in Rev.Aplw.No.20 of 2017]

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 r/w Section 114 of Code of Civil Procedure, to review the order dated 09.01.2017 passed by this Court in WP.(MD).No.19716 of 2016.

For Petitioner : Mr.Srinath Sridevan, Senior Counsel
T.K.Bhaskar
For Respondents : Mr.Aravind P.Datar, Senior Counsel
asst by Mr.B.Vijay,
Additional Government Pleader (for R1-4&6)
Mr.B.N.Suchindran, Standing counsel (for R5)

ORDER

S.M.SUBRAMANIAM, J.

Review Application (Writ).No.20 of 2017 was filed by M/s.Transworld Garnet Private India Limited and Review Application (Writ).No.21 of 2017 was filed by M/s.V.V.Mineral.



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2. M/s.Transworld Garnet Private India Limited filed a Writ Petition in W.P.(MD).No.19715 of 2016 before the Madurai Bench of Madras High Court with a prayer to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings issued by the District Collector, Tirunelveli dated 04.10.2016 in respect of their mineral separation plants located in Tirunelveli District. The details of Writ Petitions filed by the private respondents challenging the action initiated by the District Administration under the Panchayat Act are tabulated as follows:

<i>Sl.No.</i>	<i>Name of the Plant Owner</i>	<i>W.P.(MD).Nos.</i>
1	Chandresan, Managing Partner, Industrial Mineral Company	19755 of 2016
2	Beach Mineral Company Private Limited	19776 of 2016
3	Transworld Garnet India Private Limited	19715 of 2016
4	M/s.V.V. Mineral	19716 of 2016

3. The Madurai Bench of Madras High Court by way of interim Order dated 11.11.2016, in the above mentioned cases ordered that these matters are



Review Application (Writ).Nos.20 & 21 of 2017

to be transferred to the Hon'ble First Bench of this Court, to be heard along with connected matters and ordered to maintain status quo until further Orders.

4. The Hon'ble First Bench of Madras High Court by interim Order dated 27.01.2017 modified the interim Order to the extent that the same would not entitle the Petitioners to run the units in the meantime.

5. The Hon'ble First Bench of Madras High Court by Order dated 09.02.2017 in W.P. (MD) No. 19755 of 2016 disposed of the Writ petition and directed the Petitioner to file a fresh application before the Panchayat Council and the same was to be decided within 3 weeks.

6. Subsequently, the Petitioners filed fresh applications before the Panchayat Union Commissioner and the same were returned to the Petitioners with a direction to produce copies of certain documents. Aggrieved by the returning of the applications by the Commissioner of Panchayat Union, Tvl. Transworld Garnet India Private Limited and V.V. Mineral filed Review Applications in 20/2017 and 21/2017 before the Madras High Court and the same have been clubbed with the suo-motu PIL Writ Petitions.



Review Application (Writ).Nos.20 & 21 of 2017

7. In view of the elaborate discussions and orders passed in Suo Motu

W.P.No.1592 of 2015, the Review Applications are dismissed. Consequently, the connected Miscellaneous Petitions, if any, are closed.

[S.M.S., J.] [M.J.R., J.]
17.02.2025

Index: Yes/No

Speaking/Non-speaking order

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To

1.The Inspector of Panchayat,
(District Collector),
Tirunelveli.

2.Commissioner of Panchayat Union,
Radhapuram,
Tirunelveli District.

3.Commissioner of Panchayat Union,
Valliyoar,
Tirunelveli District.

4.The Block Development Officer,
Radhapuram,
Tirunelveli District.

5.Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai, 76, Mount Salai,
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Pre-Delivery order made in
Review Application (Writ).Nos.20 & 21 of 2017

17.02.2025