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W.P.No.36268 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.36268 of 2024

and

W.M.P.No.39146 of 2024

MANI OMEGA GRANITES (P) LTD,
NO. 2/140A, MANKUTTAIKKADU,
MORUR POST, TIRUCHENGODE TALUK,
NAMAKKAL DISTRICT,
TAMIL NADU -637 304.

... Petitioner

Vs

1. THE GOVERNMENT OF TAMIL NADU,
REP. BY ITS SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT,
FORT ST. GEORGE,
CHENNAI -600 009.
2. THE DIRECTOR OF GEOLOGY AND MINING,
DEPARTMENT OF GEOLOGY AND MINING,
GUINDY, CHENNAI -600 032.
3. THE DISTRICT COLLECTOR,
VILLUPURAM DISTRICT,
VILLUPURAM.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, to call for the records relating to the impugned order of the third respondent bearing Na.Ka.No.A/G&M/297/2019 dated



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30.09.2024 with reference to the granite quarry of the petitioner over an extent of 1.83.5 Hectares in S.F.Nos. 12/1 (Part), 12/3(Part), 12/4 (Part), 12/5, 12/6, 12/7 and 12/8 in Vengamur Village and S.F.Nos.59/7B (Part), 59/8B (Part), 60/2 and 61/3A1 in Anumanthapuram Village, Villupuram Taluk and District, quash the same.

For Petitioner : Mr.V.Sanjeevi
For R1 to R3 : Mr.P.S.Raman
Advocate General
assisted by Mr.V.Vijayanand
Additional Government Pleader

ORDER

This writ petition is filed to call for the records relating to the impugned order of the third respondent bearing Na.Ka.No.A/G&M/297/2019 dated 30.09.2024 with reference to the granite quarry of the petitioner over an extent of 1.83.5 Hectares in S.F.Nos. 12/1 (Part), 12/3(Part), 12/4 (Part), 12/5, 12/6, 12/7 and 12/8 in Vengamur Village and S.F.Nos.59/7B (Part), 59/8B (Part), 60/2 and 61/3A1 in Anumanthapuram Village, Villupuram Taluk and District and to quash the same.

2. When the matter came up for hearing, the learned counsel appearing



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on behalf of the petitioner, drew the attention of this Court to the impugned order passed on 30.09.2024. Referring to paragraph No. 7 of the impugned order, the learned counsel for the petitioner submitted that the entire penalty was levied on the petitioner only on the ground that the petitioner did not obtain the environmental clearance within the prescribed date and continued the quarry operation and therefore the penalty was imposed. The same is factually incorrect. The petitioner had obtained the environmental clearance on 19.07.2016, which was well within the last date, i.e., 10.01.2017. In similar matters, without relegating the parties to appellate or other remedies, this Court itself has allowed several writ petitions, including W.P. No. 15471 of 2020, among others.

3. The learned Advocate General appearing on behalf of the respondents submitted that, in the case of the petitioner alone, if the order is within the time limit, the same order could be passed.

4. In view of the above, this writ petition is allowed on the following terms:-

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(i) The impugned order made in Na.Ka.No.A/G&M/297/2019 dated 30.09.2024 stands quashed, as the petitioner had obtained the environmental clearance on 19.07.2016, well before the last date.

(ii) Consequently, connected miscellaneous petition is closed. No costs.

21.02.2025

Neutral Citation: Yes/No
nsl

To

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2. THE DIRECTOR OF GEOLOGY AND MINING,
DEPARTMENT OF GEOLOGY AND MINING,
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VILLUPURAM DISTRICT,
VILLUPURAM.

D.BHARATHA CHAKRAVARTHY, J.



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ns1

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