



W.P.No.42778 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.42778 of 2025

K.M.Ramasamy

... Petitioner

Vs.

- 1 MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE (MoEF)
THROGUH THE SECRETARY,
INDIRA PARYAVARAN BHAWAN,
JOR BAGH ROAD,
NEW DELHI – 110 003.
- 2 STATE OF TAMIL NADU
REP. BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT,
FORT ST.GEORGE,
CHENNAI – 600 009.
- 3 THE COMMISSIONER OF GEOLOGY AND MINING,
THIRU.VI.KA INDUSTRIAL ESTATE,
GUINDY, CHENNAI – 600 032.
- 4 THE DISTRICT COLLECTOR,
NAMAKKAL DISTRICT,
NAMAKKAL.
- 5 THE STATE LEVEL ENVIRONMENTAL -
IMPACT ASSESSMENT AUTHORITY (SEIAA),
REP. BY ITS CHAIRMAN,
3RD FLOOR, PANAGAL MALAIGAI,
NO.1, JEENIS ROAD,
SAIDAPET,
CHENNAI – 600 015.

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for records of the impugned demand notice passed by the fourth respondent vide Na.Ka.No.483-5/Kanimam/2025, dated 25.07.2025, pending the statutory appeal before the third respondent, pertaining to the lease granted in favour of the petitioner, to quarry rough stone/gravel in Survey No.331(Bit 1) over an extent of 5.00.0 Hec in Government land situated in Parali Village, Namakkal Taluk and District, quash the same as illegal.

For Petitioners : Mr.G.Vignesh
For Respondents : Mr.E.Mikesh Pavithran for R1
Senior Panel Counsel
Mr.Stalin Abimanyu for R2 to R5
Additional Government Pleader

ORDER

Mr.E.Mikesh Pavithran, learned Senior Panel Counsel takes notice on behalf of the first respondent. Mr.Stalin Abimanyu, learned Additional Government Pleader takes notice on behalf of the respondents 2 to 5. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records of the impugned demand



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notice passed by the fourth respondent vide Na.Ka.No.483-5/Kanimam/2025, dated 25.07.2025, pending the statutory appeal before the third respondent, pertaining to the lease granted in favour of the petitioner, to quarry rough stone/gravel in Survey No.331(Bit 1) over an extent of 5.00.0 Hec in Government land situated in Parali Village, Namakkal Taluk and District, quash the same as illegal.

3.The learned counsel appearing for the petitioner submitted that challenging the demand made in the order of the fourth respondent dated 24.10.2024, the petitioner preferred appeal before the third respondent under Section 36-C(2) of the The Tamilnadu Minor Mineral Concession Rules, 1959. However, without considering the pendency of the appeal filed by the petitioner, the present impugned order has been passed. The learned further submitted that similar writ petition was dismissed by this Court and hence, this Court may dismiss this writ petition so as to enable the petitioner to file writ appeal before the Hon'ble Division Bench of this Court.

4.The learned Additional Government Pleader appearing for the respondents 2 to 5 submitted that the grievance of the petitioner is that pending statutory appeal, the impugned order was passed and



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further submitted that the third respondent will dispose of the appeal filed by the petitioner within the time stipulated by this Court and till such time, no coercive steps will be taken against the petitioner.

5.In view of the fair submission made by the learned Additional Government Pleader, this Court directs the third respondent to dispose of the appeal filed by the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed to not to take any coercive steps against the petitioner.

6.The writ petition is disposed of. No costs.

06.11.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1 MINISTRY OF ENVIRONMENT FOREST AND CLIMATE
CHANGE (MoEF)
THROGUH THE SECRETARY,
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NEW DELHI – 110 003.

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REP. BY SECRETARY TO GOVERNMENT,
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