



W.P.(MD).Nos.2111 of 2013, etc., and Batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

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.P.(MD).Nos.2111 to 2115, 7753 & 7754 of 2013

and

M.P.(MD).Nos.1, 1, 1, 2 of 2013, 2, of 2015 (5MPs),

W.M.P.(MD).No.1927 to 1931, 8150, 17513 to 17518 of 2016,
17487 & 17488 of 2021

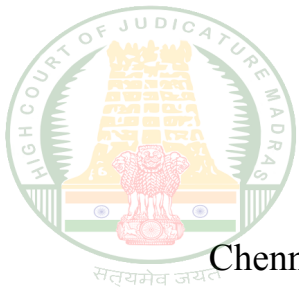
W.P.(MD).No.2111 of 2013:

Southern Enterprises,
1/580, 7th Street,
Veerabathra Nagar,
Mambakkam Main Road,
Medavakkam,
Chennai – 600 100,
a partnership firm
Represented by its
Partner D.Dhaya Devadas

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,
Fort St. George,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Chennai – 600 009.

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2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

4.The District Collector,
Trichy,
Tiruchirapalli District.

5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

6.The Coastal Environmental and Ecological
Conservation Committee,
Keeraikarantattu,
Thisaiyanvilai – 627 657,
Tirunelveli District, Through its President,
R.Appu Natesan.

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

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

9.Mr.N.S.Palaniappan, I.A.S.,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Secretary to Government,
Public Works Department,
Secretariat, Chennai – 600 009.

10.Mr.Sundaradevan, I.A.S.,

11.Mr.Atul Anand,
The Commissioner of Geology and Mining,
Guindy, Chennai – 600 032.

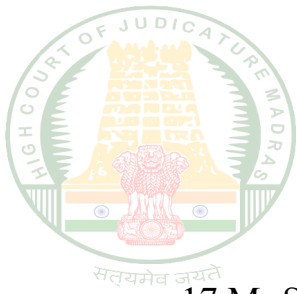
12.Mr.G.Prakash, I.A.S.,
Director,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.

13.Tmt.Jeyashree Muralidharan, I.A.S.,
District Collector,
No.1, Race Course Road,
Mannarpuram, Trichy – 625 020.

14.Mrs.T.Jayasheela,
Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam Buildings,
5th Floor, Esplanade,
Chennai – 600 018.

15.Mr.M.Govindaraj,
Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District – 625 531.

16.Mr.R.Appu Natesan,
President,
The Coastal Environment and Ecological
Conversation Committee,
Keeraikaranthattu,
Thisaiyanvilai – 627 657,
Tirunelveli District.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

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17.Mr.S.Vaikundarajan

18.The Authorized Officer,
Indian Bank, Guindy Branch,
Chennai – 600 032.

19.The Authorized Officer,
Tamil Nadu Mercantile Bank,
No.45, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

... Respondents

[R6 impleaded vide order dated 18.12.2015 made in
MP.(MD).No.1/2014 in WP.(MD).No.2111/2013]

[R7, R8 impleaded vide order dated 12.11.2021
made in W.P.(MD).No.2111/2013]

[R9 to R19 impleaded vide order dated 10.01.2025 in
MP(MD).No.1/2015 in WP.(MD).No.2111/2013]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the 1st respondent in G.O.(Ms).No.8, Industries (MMD1) Department dated 01.02.2013 and quash the same.

For Petitioner : Mr.V.Selvaraj
For Mrs.V.S.Manimekalai

For R4, R5 & R8 : Mr.Aravind P.Dattar
Senior Counsel
Assisted by Mr.B.Vijay
Additional Government Pleader

For R3, R6 & R16 : No Appearance



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W.P.(MD).Nos.2111 of 2013, etc., and Batch

For R7

: Mr.B.N.Suchindran
Standing Counsel
[For TNPCB]

For R17

: Mr.V.Raghavachari
Senior Counsel
For Mr.T.K.Bhaskar
and Mr.S.Vaikundarajan
Party-in-Person

: Mr.S.K.Mani
Advocate Commissioner.

COMMON ORDER

S.M.SUBRAMANIAM, J.

The present Writ Petitions have been instituted challenging pre-mature terminations of mining leases.

2. This Court examined the facts and the issues raised. The legal principles and the allegations of illegal mining, transportation, stocking are elaborately discussed in the Suo motu (PIL) in W.P.No.1592 of 2015. However, the grounds raised in these batch of writ petitions are considered by this Court.

3. The writ petitioners have mainly raised that Mr.S.Vaikundarajan, Managing Partner of M/s.V.V.Mineral filed frivolous complaints against the

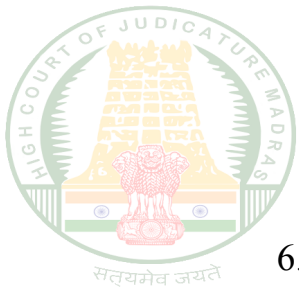


W.P.(MD).Nos.2111 of 2013, etc., and Batch

petitioners mining operations. Due to rivalry Mr.S.Vaikundarajan with the help of prominent political parties in the State has given complaint against the petitioners mining company. Therefore, the entire actions of the authorities are motivated. The petitioners have stated that the Madurai Bench of the Madras High Court appointed an Advocate Commissioner, who in turn submitted a report on 20.01.2016, stating that the petitioners have not committed any violations or allegations.

4. Therefore, the entire actions of the Government are beyond the scope of the powers conferred under the Mines and Minerals (Development and Regulation) Act, 1957 [hereinafter referred to as 'MMDR Act'] and the Mineral Concession Rules, 1960 and based on false complaints.

5. The Advocate Commissioner's report dated on 20.01.2016 would disprove the allegations made against the writ petitioners. The appeal filed by the State Government against the said order was dismissed, and Mr.S.Vaikundarajan withdrew the Special Leave Petition filed by him. Therefore, the show cause notice and the final orders passed terminating the leases are liable to be set aside.



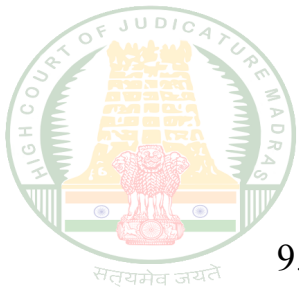
W.P.(MD).Nos.2111 of 2013, etc., and Batch

6. In the present case, the impugned orders terminating leases by invoking Rule 27(4) of MCR, 1960, was passed, without holding any inquiry.

No witnesses were examined to prove the allegations and the representations submitted by the learned counsel for the petitioners were not considered by the respondents.

7. The State Government claims that a total quantity of 16,74,952 Metric Tons was seized, but this claim is disproved by the report of the Advocate Commissioner. Therefore, the entire action of seizure and confiscation is infirm and contrary to the provisions of the Act and Rules.

8. The competent authorities have certified that there was no illegal mining. The documents, including the report of the Revenue Divisional Officer, Musiri, the District Collector, Tiruchirappalli and the order of terminating lease dated 01.02.2013, were filed by M/s.V.V.Mineral in Suo Motu W.P.No.1592 of 2015 and in Writ Appeals in W.A.Nos.1168, 1169, 1220 and 1221 of 2015, contending that the writ petition filed by Mr.D.Dhaya Devadas should be rejected in view of the alleged conduct of illegal mining.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

9. A letter dated 23.07.2013, sent by Mr.N.S.Palaniappan, I.A.S., Principal Secretary to Government, Industries Department, to the Secretary of the Ministry of Mines, Government of India was relied upon to oppose Suo Motu W.P.No.1592 of 2015 and the W.A.Nos.1168, 1169, 1220 and 1221 of 2015. The said letter was in response to the representation of Mr.D.Dhaya Devadas dated 06.05.2010 and on subsequent dates. The letters would reveal contradictory statements of the Principal Secretary to Government, Industries Department.

10. The District Collector, Trichirappalli vide order dated 31.01.1998 ordered for recovery of a sum of Rs.53,00,000/- (Fifty three Lakhs only) on the ground that during inspection excess stock was found in the factory. The order passed by the District Collector was set aside by the Revisional Authority, Ministry of Mines, Government of India on 07.04.1999 and the case was remitted back to the District Collector, Tiruchirappalli. After 8 years, the District Collector by order dated 22.01.2009 passed the same order without holding an inquiry. The revision filed before the Government of India is pending.

11. Mr.Vaikundarajan / 17th respondent opposed the contentions raised



W.P.(MD).Nos.2111 of 2013, etc., and Batch

on behalf of the petitioners. The 17th respondent would submit that based on the directions of the High Court made in W.P.No.175 of 2010 dated 09.02.2010, the District Collector was directed to inspect and submit a report on M/s.Indian Garnets Sand Company and M/s.Southern Enterprises, etc. Accordingly inspection was carried out after sending notices by registered post. The inspection was conducted in the presence of Lessees' Managers / Representatives. The lessees' advocates were also present during the inspection. The Inspection Team members were completely empowered officials under the MMDR Act and Rules to carry out the inspection and seizure. All the inspections were video graphed.

12. The Inspection Team found that the lessees have committed the following violations:

- (1) Damaged the road.
- (2) Damaged the river bank.
- (3) Damaged the Eri and Oodai.
- (4) Damaged the Wari and its mouth.
- (5) Though permitted to mine between 30 cm to 50 cm, the mining operation exceeds more than 5 meters.
- (6) Lands of other parties were illegally mined by threatening the land owners who personally visited at the time of inspection and made complaint to the inspecting team.



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W.P.(MD).Nos.2111 of 2013, etc., and Batch

- (7) No proper accounts were maintained and produced.
- (8) The inspection team was prevented by the lessees employees in the name of the general public.
- (9) They have illegally mined 3.9 million M.Tons of minerals without proper permission by violating mining plan conditions and without obtaining necessary transport permit.
- (10) They have illegally stored 14 lakhs M.Ton in the plants itself without valid transport permit.
- (11) They have disposed of approximately 25 lakhs M.Ton of illegally mined minerals based on the measurement made by the statutory empowered officials.

13. Based on the report of the District Collector, the Government directed the District Collector, Tiruchirappalli to issue notice under Section 21(5) of MMDR Act. Accordingly, the Tiruchirappalli District Collector issued show cause notice under Section 21(5) of MMDR Act. In response, the writ petitioners filed W.P.(MD).No.7753 and 7754 of 2013, challenging the show cause notices issued by the District Collector on 10.04.2013. Along with the show cause notice, copies of the inspection report and all statutory documents were attached. Therefore, the principles of natural justice have been complied with. Instead of submitting reply, the writ petitioners have filed the writ petitions against the show cause notices.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

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14. The lessee prevented the Inspection Team in the name of general public, and the State Government issued show cause notice under Rule 27(4) of MCR for determination of the lease period.

15. Sufficient opportunities were granted to the writ petitioners and the lease was determined by following the rules and in accordance with the provisions of the Act and Rules. Thus, there is no infirmity and all the writ petitions are liable to be rejected.

16. The learned counsel appearing on behalf of Mr.S.Vaikundarajan, in support of his contentions, relied on the documents and the motive behind the several litigations instituted, which raised allegations of illegal mining and other major violations.

17. The learned counsel appearing on behalf of the State Government would submit that the illegal mining and major violations are found during the course of inspection. The report of the Advocate Commissioner cannot be conclusive, since the authorities conducted inspection with the assistance of the experts.



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18. The common violations in respect of non-fulfilment of the MMDR Act, 1957 and MCR, 1960 against the petitioner are stated as under:

- (1) No weigh bridge is available in the lease hold area.
- (2) No name board and boundary stone erected in the lease hold area which is in violation of the Rule 27(1)(g) of MCR, 1960.
- (3) The road side river banks, check dams all have been damaged because of indiscriminate mining which is in violation of the Rules 27(1)(h) and 27(1)(k) of MCR, 1960.
- (4) Did not keep and produce accounts showing the quantity of all minerals obtained and despatched from the mine site, etc., which is in violation of the Rule 27(1)(i) of MCR, 1960.
- (5) Did not produce the records which is a violation of the Rule 27(1)(j) of MCR, 1960.
- (6) Did not allow the officers of the State Government to enter upon and inspect leasehold area which is in violation of Rule 27(1)(l) of MCR, 1960.
- (7) The District Collector, Trichirapalli has specifically reported that employees of the lessee companies prevented the Revenue Divisional Officer and other District officials of the inspecting team from entering upon and inspecting the lease hold areas accordingly their act has attracted punishment to be initiated against under Rule 27(4) of MC Rules, 1960. The Commissioner of Geology and Mining has also endorsed the same.
- (8) Hence it has been decided to take action under Rule 27(4) of



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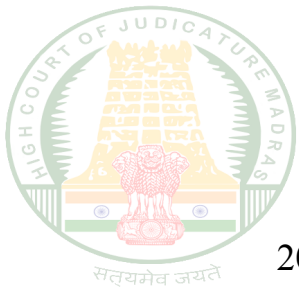


W.P.(MD).Nos.2111 of 2013, etc., and Batch

MCR, 1960 for determination of the above said lease and also forfeiture of the security deposit to the government under rule 27(4) of MCR, 1960.

19. In paragraph 10 of the impugned G.O. common violations committed by the lessee company with regard to the fulfilment of Environmental Clearance conditions, is extracted as under:

- (1) No green belt development as per the EIA clearance in the lease hold area.
- (2) No Check dam or siltation bonds constructed which is a violation of condition no.(ii).
- (3) Only two times per year monitoring of ground water level has been carried out instead of the stipulated four times per year.
- (4) Suitable conservation measures to augment ground water resources in the area shall be planned and implemented in consultation with the Regional Director, CGWB.
- (5) Suitable rain water harvesting measures on long term basis shall be planned and implemented in consultation with the Regional Director, CGWB.
- (6) Environmental laboratory should be established with adequate numbers and types of pollution monitoring and analysing equipment in consultation with the State Pollution Control Board.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

20. The impugned order further reveals about the violations reported by the District Collector, Tiruchirappalli and the Commissioner of Geology and Mining, which reads as under:

“(i) According to Rule 27(4) of the MCR, 1960, if the lessee does not allow entry or inspection under clause (i), (j), (l) of Sub Rule (1), the State Government shall give notice in writing to the lessee companies requiring them to show cause within such time as may be specified in the notice why the lease should not be determined and their security deposit forfeited and if the lessee companies fail to show cause within the above said time to the satisfaction of the State Government, the State Government may determine the lease and forfeit the whole or part of the security deposit.

(ii) As per the District Collector's report the lessee company had not produced the accounts and records as required under MCR Rules, 1960 and also the employees of lessee company prevented the inspecting officers from entry and inspection of your lease hold areas.

(iii) The Assistant Executive Engineer, Public Works Department, Water Resources Organisation (WRO), Ariyaru Basin sub division, Thuraiyoor has reported that all the areas granted under lease are classified as Odai and river poramboke. In the above said lease hold areas, the company was permitted to mine to a maximum depth of 30cm to 50cm whereas



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W.P.(MD).Nos.2111 of 2013, etc., and Batch

you have mined up to 300cm but mined under the Mathagu of PWD Eri. Hence the water could not flow into the Eri. Likewise the two sides of the banks of Poolancheri have been excavated for taking garnet sand. Hence there is a possibility of damage being caused to the banks during flood season.

(iv) The Public Works Department authority has further reported that in S.Nos.145 and 102 of Poolancheri and Appanallur villages the check dam has been completely damaged because of your indiscriminate mining and in Thumbalam village since the entire quantity of sand has been excavated in S.Nos.206 and 207, the course of flow water in the Odai has changed thereby affecting the nearby lands. The check dam in S.No.206 has has been damaged. In all the odai areas, some of the Vari banks have been damaged by the lessee companies. Hence the water resources of the nearby villages will be greatly affected. The Public Works Department authority has further suggested that suitable action has to be taken to prevent further Garnet sand mining in these areas granted in the above said Government Order.

(v) Based on the opinion of the Public Works Department and also of the District Collector, Trichirapalli it has been decided to take action for termination of the leases so as to protect the water resources of the nearby village people.

(vi) Since the company have violated the Acts



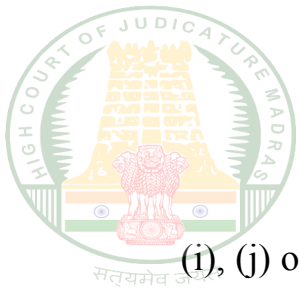
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W.P.(MD).Nos.2111 of 2013, etc., and Batch

and Rules stipulated for scientific mining and also the lease deed conditions, MoEF conditions, etc., based on the recommendation of the District Collector, Trichirapalli it has been decided to terminate the mining leases under the provisions of Section 4A of MMDR Act, 1957. Besides, the State Government is statutorily empowered to determine the lease as laid down under Rule 27(4) of MC Rules, 1960 for the violations pointed out by the District Collector as well as commissioner of Geology and Mining. Therefore, in exercise of the powers conferred upon the State Government by the above said Rules it has been decided to terminate the mining leases on the ground of statutory violations committed by the lessee company.”

21. The learned counsel for the petitioners would submit that invocation of Sub Rule (4) of Rule 27 of the MCR is improper. In this context, the respondents have stated that the act of representatives of the lessee company in not allowing the Government officials from conducting an inspection, as per the provisions of Clause (i), (j) or (l) of Sub Rule (1) of Rule 27 of MCR, 1960, was viewed very seriously by the Government in leading to action under Sub Rule (4) to Rule 27 of MCR. Rule 27(4) stipulates that “If the lessee does not allow entry or inspection under clause



W.P.(MD).Nos.2111 of 2013, etc., and Batch

(i), (j) or (l) of sub-rule (1), the State Government shall give notice in writing to the lessee requiring him to show cause within such time as may be specified in the notice if the lessee fails to show cause within the aforesaid time to the satisfaction of the State Government, the State Government may determine the lease and forfeit the whole or part of the security deposit”.

22. In view of the above facts, the Government was forced to initiate action and pass orders invoking Sub Rule (4) of Rule 27 of MCR, 1960. This Court do not find any distinguishable reasons for considering the present batch of writ petitions separately, since the allegations of illegal mining, transportation, stockings, exports and major violations are common in respect of all the lessees, who all are private respondents in Suo Motu W.P.No.1592 of 2015. The petitioner herein is the 24th respondent in Suo Motu PIL. Therefore, the elaborate discussion made on illegal mining and major violations in the context of the provisions of the MMDR Act and the Rules framed thereunder would apply to the present batch of writ petitions as well.

23. In the present batch of writ petitions, the respondents established the illegal mining of minerals and major violations committed by the petitioners, which resulted in invocation of Rule 27(4) of MCR, by the



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Government. Thus, the writ petitions challenging the show cause notices and the writ petitions challenging the termination of the lease are in consonance with the provisions of the MMDR Act and MCR and there is no infirmity as such.

24. Accordingly, all the writ petitions are dismissed. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

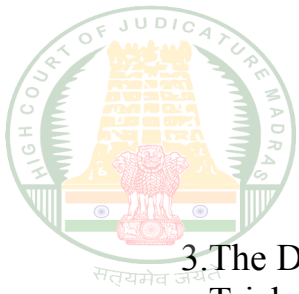
[S.M.S., J.] [M.J.R., J.]
17.02.2025

Jeni

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No

To

- 1.The Principal Secretary to Government,
The State of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai – 600 009.
- 2.The Additional Secretary to Government,
Industries Department,
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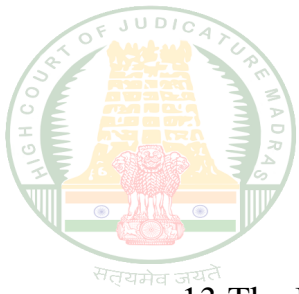
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9.The Secretary to Government,
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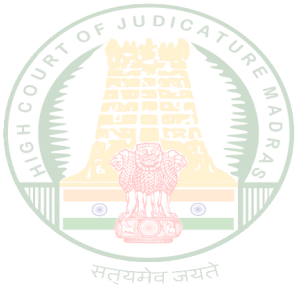
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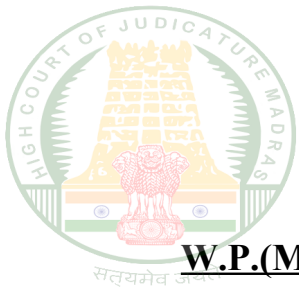
S.M.SUBRAMANIAM, J.
AND
M.JOTHIRAMAN, J.

(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 Order dated 17.02.2025, the cause title for the case number W.P.(MD) No.2111 of 2013 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:



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W.P.(MD)Nos.2112 of 2013

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Southern Enterprises,
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Petitioner

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Vs.

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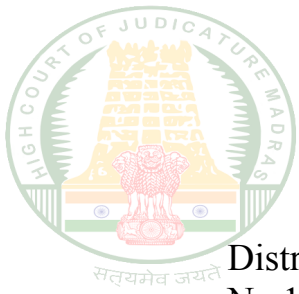
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W.P.(MD).Nos.2111 of 2013, etc., and Batch

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14.Mrs.T.Jayasheela,
Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam Buildings,
5th Floor, Esplanade,
Chennai – 600 018.

15.Mr.M.Govindaraj,
Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District – 625 531.

16.Mr.R.Appu Natesan,
President,
The Coastal Environment and Ecological
Conversation Committee,
Keeraikaranthattu,
Thisaiyanvilai – 627 657,
Tirunelveli District.

17.Mr.S.Vaikundarajan

18.The Authorized Officer,
Indian Bank, Guindy Branch,
Chennai – 600 032.

19.The Authorized Officer,
Tamil Nadu Mercantile Bank,
No.45, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

... Respondents

[R6 impleaded vide order dated 18.12.2015 made in
MP.(MD).No.1/2014 in WP.(MD).No.2112/2013]



W.P.(MD).Nos.2111 of 2013, etc., and Batch

[R7, R8 impleaded vide order dated 12.11.2021
made in W.P.(MD).No.2112/2013]

[R9 to R19 impleaded vide order dated 10.01.2025 in
MP(MD).No.1/2015 in WP.(MD).No.2112/2013]

Prayer:

Writ Petition filed under Article 226 of Constitution of India to issue writ of certiorari, calling for the records relating to the impugned order passed by the 1st respondent in G.O.(Ms)No.9, Industries (MMD1) Department dated 01.02.2013 and quash the same.

For Petitioner : Mr.V.Selvaraj
For Mrs.V.S.Manimekalai

For R1, R2, R4, R5 & R8 : Mr.Aravind P.Dattar
Senior Counsel
Assisted by Mr.B.Vijay
Additional Government Pleader

For R3, R6 & R16 : No Appearance

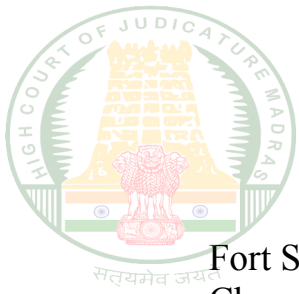
For R7 : Mr.B.N.Suchindran
Standing Counsel
[For TNPCB]

For R17 : Mr.V.Raghavachari
Senior Counsel
For Mr.T.K.Bhaskar
and Mr.S.Vaikundarajan
Party-in-Person

: Mr.S.K.Mani
Advocate Commissioner.

To

1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Fort St. George,
Chennai – 600 009.

WEB COPY

2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

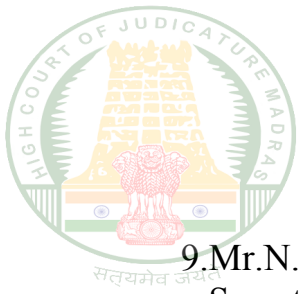
4.The District Collector,
Trichy,
Tiruchirapalli District.

5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

6.The Coastal Environmental and Ecological
Conservation Committee,
Keeraikarantattu,
Thisaiyanvilai – 627 657,
Tirunelveli District, Through its President,
R.Appu Natesan.

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

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



W.P.(MD).Nos.2111 of 2013, etc., and Batch

9.Mr.N.S.Palaniappan, I.A.S.,
Secretary to Government,
Public Works Department,
Secretariat, Chennai – 600 009.

10.Mr.Sundaradevan, I.A.S., (Retd)
Adigaratty Post, Coonoor Taluk,
Nilgiris District - 643 203.

11.Mr.Atual Anand,
The Commissioner of Geology and Mining,
Guindy, Chennai – 600 032.

12.Mr.G.Prakash, I.A.S.,
Director,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.

13.Tmt.Jeyashree Muralidharan, I.A.S.,
District Collector,
No.1, Race Course Road,
Mannarpuram, Trichy – 625 020.

14.Mrs.T.Jayasheela,
Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam Buildings,
5th Floor, Esplanade,
Chennai – 600 018.

15.Mr.M.Govindaraj,
Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District – 625 531.

16.Mr.R.Appu Natesan,
President,
The Coastal Environment and Ecological
Conversation Committee,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Keeraikaranthattu,
Thisaiyanvilai – 627 657,
Tirunelveli District.

17.The Authorized Officer,
Indian Bank, Guindy Branch,
Chennai – 600 032.

18.The Authorized Officer,
Tamil Nadu Mercantile Bank,
No.45, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

W.P.(MD)Nos.2113, 2114 & 2115 of 2013

Indian Garnet Sand Co.(P) Ltd.,
1/580. 7th Street,
Veerabathra Nagar,
Mambakkam Main Road,
Medavakkam,
Chennai - 600 100
Represented by its
Chairman and Managing Director
W.P's

... Petitioners in all

Vs.

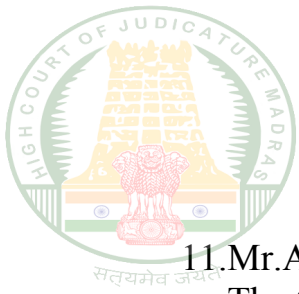
1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

- 3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.
- 4.The District Collector,
Trichy,
Tiruchirapalli District.
- 5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.
- 6.The Coastal Environmental and Ecological
Conservation Committee,
Keeraikarantattu,
Thisaiyanvilai – 627 657,
Tirunelveli District, Through its President,
R.Appu Natesan.
- 7.The Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai,
76, Mount Salai, Guindy, Chennai – 600 032.
- 8.Principal Secretary,
Government of Tamil Nadu,
Ministry of Environment and Forests,
Fort St.George, Chennai – 600 009.
- 9.Mr.N.S.Palaniappan, I.A.S.,
Secretary to Government,
Public Works Department,
Secretariat, Chennai – 600 009.
- 10.Mr.Sundaradevan, I.A.S., (Retd)
Adigaratty Post, Coonoor Taluk,
Nilgiris District - 643 203.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

11.Mr.Atual Anand,

The Commissioner of Geology and Mining,
Guindy, Chennai – 600 032.

12.Mr.G.Prakash, I.A.S.,

Director,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.

13.Tmt.Jeyashree Muralidharan, I.A.S.,

District Collector,
No.1, Race Course Road,
Mannarpuram, Trichy – 625 020.

14.Mrs.T.Jayasheela,

Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam Buildings,
5th Floor, Esplanade,
Chennai – 600 018.

15.Mr.M.Govindaraj,

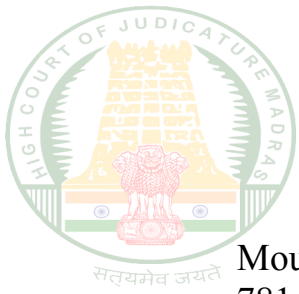
Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District – 625 531.

16.Mr.R.Appu Natesan,

President,
The Coastal Environment and Ecological
Conversation Committee,
Keeraikaranthattu,
Thisaiyanvilai – 627 657,
Tirunelveli District.

17.Mr.S.Vaikundarajan

18.The Authorized Officer,
Canara Bank



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Mount Road Branch,
781-785, Anna Salai,
Chennai - 600 002.

... Respondents in all

W.P's

[R6 impleaded vide order dated 18.12.2015 made in
MP.(MD).No.1/2014 in WP.(MD).Nos.2113, 2114 & 2115/2013]

[R7, R8 impleaded vide order dated 12.11.2021
made in W.P.(MD).Nos.2113, 2114 & 2115/2013]

[R9 to R18 impleaded vide order dated 10.01.2025 in
MP(MD).No.1/2015 in WP.(MD).Nos.2113,2114 & 2115/2013]

Common prayer :

Writ Petitions filed under Article 226 of Constitution of India to issue writ of certiorari, calling for the records relating to the impugned order passed by the 1st respondent in G.O.(Ms)Nos.10, 11 & 12 ,Industries (MMD1) Department dated 01.02.2013 and quash the same.

(in all W.P's)

For Petitioner : Mr.V.Selvaraj

For Mrs.V.S.Manimekalai

For R1, R2, R4, R5 & R8 : Mr.Aravind P.Dattar
Senior Counsel
Assisted by Mr.B.Vijay
Additional Government Pleader

For R3, R6 & R16 : No Appearance

For R7 : Mr.B.N.Suchindran
Standing Counsel
[For TNPCB]

For R17 : Mr.V.Raghavachari



WEB COPY



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Senior Counsel
For Mr.T.K.Bhaskar
and Mr.S.Vaikundarajan
Party-in-Person

: Mr.S.K.Mani
Advocate Commissioner.

To

1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

4.The District Collector,
Trichy,
Tiruchirapalli District.

5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

6.The Coastal Environmental and Ecological
Conservation Committee,
Keeraikarantattu,
Thisaiyanvilai – 627 657,
Tirunelveli District, Through its President,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

R.Appu Natesan.

WEB COPY

- 7.The Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai,
76, Mount Salai, Guindy, Chennai – 600 032.
- 8.Principal Secretary,
Government of Tamil Nadu,
Ministry of Environment and Forests,
Fort St.George, Chennai – 600 009.
- 9.Mr.N.S.Palaniappan, I.A.S.,
Secretary to Government,
Public Works Department,
Secretariat, Chennai – 600 009.
- 10.Mr.Sundaradevan, I.A.S., (Retd)
Adigaratty Post, Coonoor Taluk,
Nilgiris District - 643 203.
- 11.Mr.Atual Anand,
The Commissioner of Geology and Mining,
Guindy, Chennai – 600 032.
- 12.Mr.G.Prakash, I.A.S.,
Director,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.
- 13.Tmt.Jeyashree Muralidharan, I.A.S.,
District Collector,
No.1, Race Course Road,
Mannarpuram, Trichy – 625 020.
- 14.Mrs.T.Jayasheela,
Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,



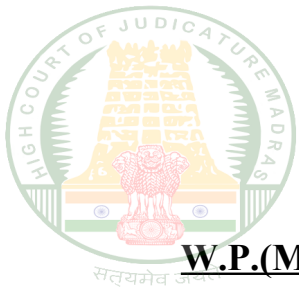
W.P.(MD).Nos.2111 of 2013, etc., and Batch

Kuralagam Buildings,
5th Floor, Esplanade,
Chennai – 600 018.

15.Mr.M.Govindaraj,
Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District – 625 531.

16.Mr.R.Appu Natesan,
President,
The Coastal Environment and Ecological
Conversation Committee,
Keeraikaranthattu,
Thisaiyanvilai – 627 657,
Tirunelveli District.

17.The Authorized Officer,
Canara Bank
Mount Road Branch,
781-785, Anna Salai,
Chennai - 600 002.



W.P.(MD).Nos.2111 of 2013, etc., and Batch

W.P.(MD)Nos.7753 & 7754 of 2013

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Southern Enterprises,
1/580, 7th Street,
Veerabathra Nagar,
Mambakkam Main Road,
Medavakkam,
Chennai – 600 100,
a partnership firm
Represented by its
Partner D.Dhaya Devadas
W.P.(MD)No.7753 of 2013

... Petitioner in

Indian Garnet Sand Co.(P) Ltd.,
1/580. 7th Street,
Veerabathra Nagar,
Mambakkam Main Road,
Medavakkam,
Chennai - 600 100
Represented by its
Chairman and Managing Director
W.P.(MD)No.7754 of 2013

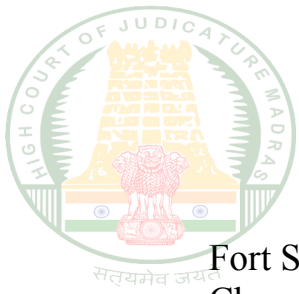
... Petitioner in

Vs.

1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Fort St. George,
Chennai – 600 009.

WEB COPY

4.The District Collector,
Trichy,
Tiruchirapalli District.

5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

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

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

[R6, R7 impleaded vide order dated 12.11.2021
made in W.P.(MD).No.7753 & 7754 of 2013]

Common Prayer:

Writ Petitions filed under Article 226 of Constitution of India to issue writ of certiorari, calling for the records relating to the impugned notice in Rc.No.1174 of 2009 dated 10.04.2013 on the file of the 4th respondent and quash the same.

(in both W.P's)

For Petitioner : Mr.V.Selvaraj

For Mrs.V.S.Manimekalai

For R1, R2, R4, R5 & R7 : Mr.Aravind P.Dattar
Senior Counsel



WEB COPY



W.P.(MD).Nos.2111 of 2013, etc., and Batch

Assisted by Mr.B.Vijay
Additional Government Pleader

For R3

: No Appearance

For R6

: Mr.B.N.Suchindran
Standing Counsel
[For TNPCB]

To

1.The State of Tamil Nadu,
represented by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

3.A.Karunakaran,
The Additional Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

4.The District Collector,
Trichy,
Tiruchirapalli District.

5.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

6.The Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai,

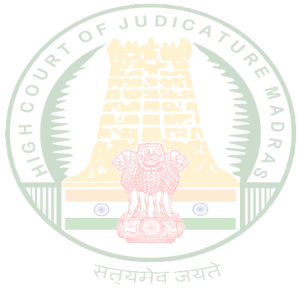


W.P.(MD).Nos.2111 of 2013, etc., and Batch

76, Mount Salai, Guindy, Chennai – 600 032.

WEB COPY

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



WEB COPY



W.P.(MD).Nos.2111 of 2013, etc., and 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.P.(MD).Nos.2111 to 2115, 7753 & 7754 of 2013
and
M.P.(MD).Nos.1, 1, 1, 2 of 2013, 2, of 2015 (5MPs),
W.M.P.(MD).No.1927 to 1931, 8150, 17513 to 17518 of 2016,
17487 & 17488 of 2021