



W.P(MD)No.6241 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.6241 of 2025
and
W.M.P(MD)No.4589 of 2025**

Kandasamy

... Petitioner

vs.

- 1.The Principal Secretary to Government,
Geology and Mines Department,
Fort St. George, Secretariat,
Chennai – 600 009.
- 2.The Commissioner,
Geology and Mines Department,
Chennai.
- 3.The District Collector,
Collectorate,
Sivagangai District.
- 4.The District Collector,
Collectorate,
Pudukkottai District.
- 5.The Assistant Director of Mines,
Sivagangai District.

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WEB COPY 6.The Assistant Director of Mines,
Pudukkottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to forthwith constitute a Committee on State Level in order to regulate prices of essential ingredients including mining quarry materials, metals etc., used for Government and other projects and to prevent any abuse by lobbyist and prevent the arbitrary increase in prices without prior notice and providing advance notice adequately to help enable bidders to bid for Government projects.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.P.Thilak Kumar

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The prayer in the Writ Petition is to direct the respondents to forthwith constitute a Committee on State Level in order to regulate prices of essential ingredients including mining quarry materials, metals etc., used for Government and other projects and to prevent any abuse by lobbyist and prevent the arbitrary increase in prices without prior notice and providing advance notice adequately to help enable bidders to bid for Government projects.



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2.Heard Mr.V.Kannan, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents.

3. The contention of the petitioner is that the M.Sand Mining Association has arbitrarily increased the cost of M.Sand from Rs.2000/- including GST to Rs.5000/- excluding GST. Likewise, the other materials dependent on quarry materials are also increased arbitrarily to 250% to 300%. In any government contracts the contractors are not allowed to fix the profit margin of more than 30%, in such circumstances by arbitrarily increasing the prices contractors are put to suffering. Especially for the contracts already in force the increase in input materials causing great difficulties to the contractors.

4. After hearing the rival submissions, this Court is of the considered opinion that the prayer in the writ petition under public interest litigation cannot be entertained. Further the petitioner is a contractor and has entered into contracts, which is purely business contracts, hence prayer will not come within the purview of public interest litigation.



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5. It is seen the petitioner and similarly placed persons are concerned only for the existing contracts. As far as future contracts, while executing the contract, the hike of quarry materials would be taken while fixing the cost of civil work. Therefore, this Court is of the considered opinion for any existing contract if any individual contractor is affected by the increase in cost, the individual contractor may submit petition before the government for modification of the contract. The government may consider and address the grievance of the individual contractors by taking into consideration of hike in cost of the quarry materials.

6. For the aforesaid reasons, this Court is not inclined to entertain the Writ Petition. Accordingly, this Writ Petition is dismissed. However, liberty is granted for individual contractors for the existing contracts to approach the government. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[J.N.B.,J.] & [S.S.Y.,J.]
25.03.2025

NCC : Yes / No
Index : Yes / No



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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