

W.P.(MD)No.6349 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD) No.6349 of 2025

Karthik

... Petitioner

vs.

1.The Commissioner,
Geology and Mining Department,
Guindy,
Chennai.

2.The District Collector,
Tenkasi,
Tenkasi District.

3.The Assistant Director,
Geology and Mining Department,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to form the Special Investigation Team to restraining the illegal mining in and around the Survey no.122 (subdivisions 2, 3, 4, 5a, 6a) Survey No. 123 (All Subdivisions), Survey No.124/3, Survey No. 127, Survey No. 155/1 on the basis of the petitioner's representation dated 20.01.2025 within a stipulated period as prescribed by this Court.



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For Petitioner :Mr.S.Sundarapandian

For Respondents :Mr.G.Suriyananth
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus, directing the respondents to form a Special Investigation Team to restrain the illegal mining in and around the area in S.Nos.122 (subdivisions 2, 3, 4, 5a, 6a), 123 (All Subdivisions), 124/3, 127 and 155/1 on the basis of the petitioner's representation dated 20.01.2025.

2.The petitioner states that illegal mining has been taking place in Sivagiri Part 2 Village, Sivagiri Taluk, Tenkasi District. This illegal mining is occurring not only over Government lands but also on farm lands, ryotwari lands in and around the Chinna and Periya Ayudaperi water bodies and in areas classified as wetlands. He pleaded that the illegal mining is taking place in S.No.122 (sub-divisions 2, 3, 4, 5a and 6a) S.Nos.123 (all sub-divisions), 124/3, 127 and 155/1. He pleads that the illegal mining activity is affecting the Eco Sensitive Zone of the Nellai Wildlife Sanctuary situated in Sivagiri. He brought these concerns



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to the notice of the respondents through several representations.

However, as no action was forthcoming, he has come forward with the present writ petition.

3.The learned counsel appearing for the petitioner drew my attention to the proceedings of the Revenue Divisional Officer, Sankarankovil, dated 07.03.2025, wherein the said authority had directed that action be initiated against illegal mining. The petitioner pleads that though a direction was given, it was not followed up.

4.When the matter came up for admission, I requested Mr.G.Suriyananth, learned Additional Government Pleader to get instructions from the respondents and posted the matter today.

5.When the matter was taken up today, Mr.G.Suriyananth points out that the Revenue Divisional Officer, Sankarankovil, had inspected the property and concluded that one Shenbagavinayagam, residing at D.No.7, Rajaji Street, Sivagiri village, Tenkasi District, had engaged in illegal mining in the aforesaid survey numbers. The Revenue Divisional Officer also imposed a penalty of Rs.29,01,484/- on the said individual.



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In addition, Mr.G.Suriyananth states that the respondents will conduct regular inspections and ensure that no illegal mining takes place in the aforesaid village.

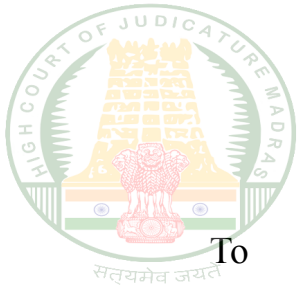
6.I have carefully considered the submissions of both sides. I have gone through the records.

7.As the respondents have initiated action based on the representations made and have concluded that illegal mining has occurred and have also imposed a penalty, no further directions need to be given. The statement of Mr.G.Suriyananth that the respondents shall regularly inspect the area in question and ensure that it remains free from illegal mining, is recorded as an undertaking given to this Court.

8.The Writ Petition stands disposed of, accordingly. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
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V. LAKSHMINARAYANAN, J.

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