



W.P(MD)No.7808 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.7808 of 2020
and
W.M.P(MD)No.7287 of 2020**

R.Mutharsan

... Petitioner

vs.

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Department of Geology and Mining,
Fort St. George, Secretariat,
Chennai - 9.

2.The Principal Secretary,
Department of Revenue,
Fort St. George, Secretariat,
Chennai-9.

3.The Principal Secretary to Government,
Department of Home, Prohibition and Excise,
Fort St. George, Secretariat, Chennai-9.



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4.The Director of Geology and Mining,
O/o. the Director of Geology and Mining,
Alandur Road, Guindy Industrial Estate,
Guindy, Chennai-32.

5.The Commissioner,
Department of Geology and Mining,
Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai-32.

6.The Director General of Police,
O/o. the Director General of Police,
Dr. Radhakrishnan Saalai,
Mylapore, Chennai-04.

7.The District Collector,
Sivagangai District,
Sivagangai.

8.The Superintendent of Police,
O/o. the Superintendent of Police,
Sivagangai, Sivagangai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 7 to effectively implement the Rule 38-A of the Tamil Nadu Minor Mineral Concession Rules, 1959 by forming a Tamil Nadu Sand Corporation (TASMAC) in the same lines of TASMAC and direct the respondents to identify excavate and sell sand through their corporation and consequently direct the respondents 1 to 7 to forbear the indiscriminate sand mining in the



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name of Uvari, Uvar, Vandal, Saralai Savadu, Gravel, River and other sands in Government lands and Ryotwari lands in the state of Tamil Nadu within the time stipulated by this Court.

For Petitioner : Mr.F.Mohamed Fazil
for M/s.T.Lajapathi Roy and Associates

For RR 1 to 5 & 7 : Mr.P.Thilak Kumar
Government Pleader

For RR 6 & 8 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

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

The writ on hand has been instituted to direct the respondent Nos.1 to 7 to effectively implement Rule 38-A of the Tamil Nadu Minor Mineral Concession Rules, 1959 by forming a Tamil Nadu Sand Corporation on the lines of TASMAL and to direct the respondents to identify, excavate and sell sand through such a corporation and consequently to direct the respondents 1 to 7 to forbear the indiscriminate sand mining in the name of



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Uvari, Uvar, Vandal, Saralai Savadu, Gravel, River and other sands in Government lands and Ryotwari lands in the state of Tamil Nadu.

2.The relief as such sought for in the Writ Petition cannot be considered since it is a policy decision to be taken by the Government in consideration of the public interest. This Court, in exercise of its powers of judicial review, cannot direct the Government to form a Corporation for the purpose of mining operations.

3.Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
08.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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ORDER MADE IN
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DATED : 08.08.2025