



W.P(MD)No.10932 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM:

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

**W.P(MD)No.10932 of 2019
and
WMP (MD) No.8365 of 2019**

M/s.Sri Venkateswara Construction Materials
and Industries,
Rep. by its Partner
N.Karuppasamy

... Petitioner

vs.

1. The District Collector,
Thoothukudi District.
2. The District Forest Officer,
Thoothukudi District.
3. The Assistant Director,
Geology and Mining, Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records relating to the impugned notice dated 01.03.2019 issued by the 1st respondent in his



W.P(MD)No.10932 of 2019

WEB COPY proceedings Rc.No.G.M.1/177/2019 and quash the same as illegal and unsustainable in law.

For Petitioner : Mr.J.Karthikeyan

For R1 – R3 : Mr.P.Thilak Kumar
Government Pleader

ORDER

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

The petitioner has filed the present writ petition challenging the impugned notice dated 01.03.2019 issued by the first respondent.

2. Paragraphs 6 and 7 of the counter-affidavit filed by the District Forest Officer, read as follows:

“6. It is respectfully submitted that any quarry activities within the radius of the 10 km (default declaration) of Eco Sensitive Zone notification constituted with reference to WP No.460/2004 filed by Goa Foundation before the Hon'ble Supreme Court of India to conserve the Wildlife may also be taken into



W.P(MD)No.10932 of 2019

WEB COPY

account. The Eco Sensitive Zone notification for Vallanadu Blackbuck Sanctuary is under active consideration of this Department. The respondents namely Mr.Kathirkamaraj (Respondent No.16) V.V.Minerals (Respondent No.11) have submitted necessary proposal for obtaining wildlife clearance from the National Board for Wildlife have been submitted to the District Forest Officer/Conservator of Forests and Principal Chief Conservator of Forests and Chief Wildlife Warden, now the proposals are submitted by the respondent No.11 and 16 are pending with Conservator of Forests. In respect of other applications submitted by 1.Mr.S.Shanmugavel, 2.Mr.S.Murugan, 3.Mr.Sutharsan, and 4.T.Vijay the same is pending with User Agency for furnishing of additional particulars.

7. It is respectfully submitted that issuance of transport permits for the quarried materials under the provisions of Mines and Minerals Construction Rule,



W.P(MD)No.10932 of 2019

WEB COPY

1959 and if there is any violation noticed the District Collector, Commissioner of Geology and Mining are empowered to handle the issue. On the other hand if there is any violation noticed in the issuance of Environmental Clearance or any deviation of conditions by the applicants the SEIAA can institute penal action under the provisions of Environmental Protection Act, 1986.”

3. Since there is no approval granted by the competent authorities, no quarrying operations shall be permitted in the subject property. Therefore, no further adjudication needs to be entertained in this writ petition. Accordingly, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
12.06.2025
2/3

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

4/6



W.P(MD)No.10932 of 2019

WEB COPY

To

1. The District Collector,
Thoothukudi District.
2. The District Forest Officer,
Thoothukudi District.
3. The Assistant Director,
Geology and Mining, Thoothukudi District.



WEB COPY



W.P(MD)No.10932 of 2019

S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

PKN

ORDER MADE IN
W.P(MD)No.10932 of 2019

DATED : 12.06.2025
2/3