



W.P.(MD)No.12450 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**AND**

**THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P.(MD)No.12450 of 2019

and

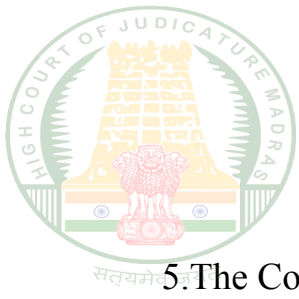
W.M.P.(MD)No.9285 of 2019

V.Jonsian Raja

... Petitioner

-Vs-

- 1.The Government of Tamil Nadu,  
Rep. by its Principal Secretary,  
Department of Environment and Forests,  
Fort St.George, Secretariat, Chennai-600 009.
- 2.The Member Secretary,  
State Level Environment Impact  
Assessment Authority,  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No.1, Jeenis Road, Saidapet,  
Chennai-600 015.
- 3.The District Environment Engineer,  
Pollution Control Board, Nagercoil,  
Kanyakumari District.
- 4.The District Collector,  
Kanyakumari District, Kanyakumari.



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5.The Conservator of Forests,  
Tirunelveli Circle,  
N.G.O.Colony, (R.T.O. Office Backside),  
Tirunelveli-627 007.

6.The Deputy Director of Geology and Mining,  
District Collectorate Campus,  
Nagercoil, Kanyakumari District.

7.Saradha Rajamani

8.Jose Lenin

9.Peter Paul

10.Pushparaj

11.Narayanan

12.Muthukrishnan

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to take action against the illicit quarry functioning in Thovalai Village, Kanyakumari District near the western ghats.

For Petitioner : Mr.P.Ranjithraja

For R1, R4 to R6 : Mr.Veera Kathiravan,  
Additional Advocate General,  
assisted by Mr.P.Thilak Kumar,  
Government Pleader

For R2 : Mr.N.Dilip Kumar

For R3 : Mrs.Madhuri Donti Reddy

For R7, R11 & R12 : Mr.A.Mohamed Haneef

For R8 : Mr.M.Mahaboob Fazil



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For R9 & R10 : Not ready in notice

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### **ORDER**

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

This Writ of Mandamus has been instituted to direct the respondents 1 to 6 to take action against the illicit quarry functioning in Thovalai Village, Kanyakumari District near the western ghats.

2.The District Collector, Kanyakumari District / 4<sup>th</sup> respondent filed a status report, stating that as of now, no mining operations are permitted nor any license has been issued by the competent authorities. The relevant portion of the same is extracted hereunder:-

*“5) I further respectfully submit that, based on the representation dated 17.01.2019 and 14.01.2019 by the 7th & 8th respondents respectively had requested for extension of time, as they could not complete the land reclamation activity within the stipulated time. Therefore, after due verifications the 7th and 8th respondents had been granted for extension for a period of one month (18.01.2019 to 16.02.2019) for the land reclamation vide Proceedings of the District Collector Rc.No.179/G&M/2018, dated 18.01.2019 and Rc.No.208/G&M/2018, dated. 18.01.2019 respectively. Further both the 7th & 8th respondents reclaimed*



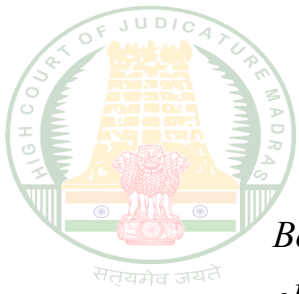
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*their land and provided the excess ordinary earth to Tvl.L&T Ltd for their 4 lane National Highway project on payment of the stipulated seigniorage fee and other levies as per the Appendix II to Tamilnadu Minor Mineral Concession Rules, 1959.*

*6) I respectfully submitted that, after extension granted to the 7th and 8th respondents the land reclamation activities had been stopped and there after no extension were granted to the 7th and 8th respondent after that since 17.02.2019 there were no illegal quarrying activities were carried out in the subject area.*

*7) I respectfully submit that as per the records available no other person including the respondents arrayed in serial No. 9 to 12 were not granted with any of the permissions for the purpose of reclamation of lands. or to supply ordinary earth to anyone. However, the representation made by the petitioner was forwarded to the Taluk Level Committee for verification vide letter No. 68-2/G&M/2019, dated 24.05.2019. In this regard, the convenor cum Tahsildar of Thovalai Taluk reported in Rc.No.B3/968/2018 dated 12.09.2019, that there were no illegal quarrying of minor minerals like ordinary earth in the subject area of Thovalai Village & Taluk.*

*8) I also respectfully submit that, the Hon'ble Madurai Bench of Madras High Court upon hearing the case in W.P(MD)No.12450 of 2019 ordered for interim stay on 29.05.2019 till 10.06.2019 any subsequently on 24.06.2019 extended it till 02.07.2019. In order to comply the orders of the Hon'ble Madurai*



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*Bench of Madras High Court frequent field inspections and observations were made by the Taluk Level Task Forces and Regional Flying Squad of the Department of Geology and Mining.*

*9) I respectfully submitted that, all the relevant factors, circumstances and details of the matters connected with the case in W.P(MD)No.12450 of 2019 were put forth before the Hon'ble Madurai Bench of Madras High Court appeared through virtual mode on 13.08.2025."*

3.However, the learned counsel appearing for the petitioner would submit that actions are yet to be initiated in respect of illegal mining operations done by some miscreants prior to the year 2019.

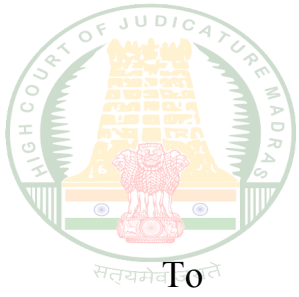
4.In view of the above, this Writ Petition is disposed of with a direction to the 4<sup>th</sup> respondent to conduct enquiry as contemplated under the Act and Rules and initiate all appropriate and necessary actions in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

**(S.M.S., J.) & (G.A.M., J.)**  
**21.08.2025**

NCC : Yes / No  
Index : Yes / No

*Yuva*

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To

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1. The Principal Secretary,  
Government of Tamil Nadu,  
Department of Environment and Forests,  
Fort St.George, Secretariat, Chennai-600 009.
2. The District Collector,  
Kanyakumari District, Kanyakumari.
3. The Conservator of Forests,  
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Tirunelveli-627 007.
4. The Deputy Director of Geology and Mining,  
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**S.M.SUBRAMANIAM, J.**

**AND**

**G.ARUL MURUGAN, J.**

*Yuva*

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