



W.P.(MD) No.12798 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2025

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD) No.12798 of 2025

and W.M.P(MD) No.9231 of 2025

N.Radha

... Petitioner

Vs.

1. The District Collector,
Pudukottai District.
2. The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.
2. The Assistant Director,
Geology and Mining Department,
Pudukottai District.
3. The Tahsildhar,
Thirumayam Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari, to call for the records pertaining to the proceedings of the impugned proceedings of 2nd respondent in Ni.Mu.A3/1647/2025, dated.04.04.2025 and quash the same.



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W.P.(MD) No.12798 of 2025

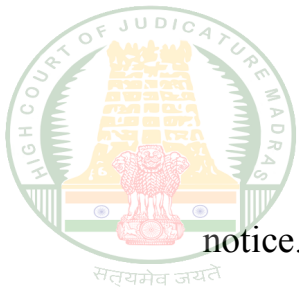
For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.A.Sabarathnam
For Respondents : Mr.M.Lingadurai,
Special Government Pleader

ORDER

The present writ petition is filed for Certiorari to quash the impugned order dated 04.04.2025.

2. Mr.M.Lingadurai, learned Special Government Pleader takes notice for the respondents.

3. The contention of the petitioner is that the petitioner's father had license for quarry. However, pending license the petitioner's father died. Thereafter, the petitioner did not conduct any quarry at all. Through the impugned order, penalty has been imposed without issuing any notice at all. On perusing the impugned order, especially the reference portion, the respondents have cited a G.O.Ms.No.170, Industries (MMC.2) Department dated 05.08.2020, then a letter from the Assistant Director and connected documents. There is no reference to any show cause



W.P.(MD) No.12798 of 2025

notice. Further in the impugned order, it states that based on the higher officials direction, the present proceedings have been initiated. Therefore, absolutely there is no notice to the petitioner, which is violation of principles of natural justice. Therefore, this Court is inclined to pass the following order:

i) The present impugned order dated 04.04.2025 shall be treated as show cause notice.

ii) The respondents shall furnish a copy of the inspection report within a period of one week from the date of receipt of a copy of the order. The petitioner is also permitted to approach the respondents for the copy of the inspection report. On receipt of such inspection report, the petitioner shall submit his reply within two weeks therefrom.

iii) After receipt of the reply, the District Collector/1st respondent shall hear the petitioner within two weeks thereafter and the District Collector shall grant a personal hearing also. The District Collector shall pass final orders after considering the inspection report, show cause notice, reply and the submission of the petitioner during the personal hearing, within two weeks thereafter.



W.P.(MD) No.12798 of 2025

WEB COPY 4. With this direction, this writ petition is disposed of. No costs.

Consequently, connected writ miscellaneous petition is closed.

09.06.2025

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

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Pudukottai District.
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W.P.(MD) No.12798 of 2025

S.SRIMATHY, J.

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