



W.P.(MD) No.13771 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.05.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.P.(MD) No.13771 of 2025
and
W.M.P.(MD) No.9938 of 2025**

N.Kesirajan

... Petitioner

-vs-

- 1.The District Collector
Sivagangai District
Sivagangai
- 2.The District Collector
Madurai District
Madurai
- 3.The Assistant Director
Geology and Mining
Sivagangai
Sivagangai District
- 4.The Assistant Director
Geology and Mining
Madurai, Madurai District
- 5.The Superintendent of Police
Sivagangai District
Sivagangai



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6.The District Revenue Officer
Sivagangai District
Sivagangai

7.The District Revenue Officer
Madurai District, Madurai

8.The Tahsildar
Thirupuvanam Taluk
Sivagangai District

9.The Tahsildar
Melur Taluk
Madurai District

10.Madhueswari ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 9 to the stop the illegal in-discriminate sand mining carried out by the tenth respondent on the land comprised in Survey No.70/1A, 70/1B, 70/5, 70/6A, 70/6B, 71/2, 72/1A1, 72/1B, 98/1A, 98/2A, 98/2C, 99/3A, situated at Keeranoor Village, Madurai District, on the basis of the petitioner's representation dated 24.04.2025.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader for R1 to R4, R6 to R9
Mr.A.Thiruvadikumar
Additional Public Prosecutor for R5
Mr.K.Govindarajan for R10



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ORDER

[Order of the Court was made by M.DHANDAPANI, J.]

The petitioner has filed this writ petition seeking a mandamus directing the respondents 1 to 9 to stop the illegal and indiscriminate sand mining carried out by the tenth respondent in the land comprised in Survey Nos.70/1A, 70/1B, 70/5, 70/6A, 70/6B, 71/2, 72/1A1, 72/1B, 98/1A, 98/2A, 98/2C and 99/3A, situated at Keeranoor Village, Madurai District, on the basis of his representation dated 24.04.2025.

2. Mr.A.Kannan, learned Additional Government Pleader, takes notice for the respondents 1 to 4, 6 to 9; Mr.A.Thiruvadikumar, learned Additional Public Prosecutor takes notice for the fifth respondent and Mr.K.Govindarajan, learned counsel, takes notice for the tenth respondent.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. Learned counsel for the petitioner would submit that the petitioner is a farmer by profession. He is a native of Keeranoor Village, Melur



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Taluk, Madurai District. The tenth respondent is excavating the odai sand in the subject land beyond the permissible limit and contrary to conditions imposed in the licence granted to him by the authority concerned. Ventilating the same, the petitioner made a representation 24.04.2025 to the respondents 1 to 9 seeking to take appropriate action against the tenth respondent. However, till date no action has been taken by the authority concerned based on the said representation. Hence, the petitioner has filed the present writ petition.

5. Per contra, learned counsel appearing for the tenth respondent, on instructions, submitted that the tenth respondent is granted permission, *vide* proceedings dated 27.01.2025 by the third respondent, to excavate the sand from the subject land and utilize the same for the purpose of strengthening the runway in the Madurai Airport and there is no illegal sand mining as alleged by the petitioner. He would further submit that if at all any violation of the conditions is found, it is for the District Collector to take appropriate action. There is no public interest litigation involved in the present writ petition and the same is none other than a personal motivated writ petition and hence, he prays for dismissal of this writ petition.



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6. A perusal of the materials on record reveals that the tenth respondent is granted permission *vide* proceedings dated 27.01.2025 by the third respondent, to excavate the sand from the subject land and utilize the same for the purpose of strengthening the runway in the Madurai Airport. Therefore, if there is any violation of the conditions imposed in the said proceedings, it is for the District Collector concerned to take appropriate action. Hence, without expressing any opinion on the merits of the matter, we direct the respondents 1 and 2 to consider the petitioner's representation dated 24.04.2025 and pass orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the tenth respondent, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[M.D.I., J.] [R.S.V., J.]
09.05.2025

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

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