



W.A.(MD)No.198 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.04.2025

CORAM:

THE HONOURABLE MRS.JUSTICE J. NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.A(MD)No.198 of 2025
and
C.M.P.(MD)No.1207 of 2025

- 1.The District Collector,
Office of the District Collector,
Karur District.
- 2.The Revenue Divisional Officer,
Sub Collector, N.Pradhaksanam Road,
Madavilagam, Karur.
- 3.The Assistant Director,
Geology and Mining Department,
Karur.
- 4.The Tahsildar,
Pugalur,
Karur District.

... Appellants

Vs.

1.M.Ramasamy

2.T.S.P.Kannanppan

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letter Patent to set aside the order of this Court in W.P.(MD)No.21350 of 2023 dated 25.09.2023.



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For Appellants :Mrs.D.Farjana Ghoushia
Special Government Pleader
For R1 :Mr.J.Senthil Kumaraiah
For R2 : Mr.V.Sanjeevi

JUDGMENT

(Judgment of the Court was delivered by **S.SRIMATHY, J.**)

This Writ Appeal is filed challenging the order passed by this Court in W.P.(MD)No.21350 of 2023 dated 25.09.2023.

2.The writ petition was filed challenging the order imposing penalty on the writ petitioner for quarrying excess minerals without paying necessary seigniorage fee. The writ petition was allowed on the ground that proper opportunity of hearing was not granted to the writ petitioner before passing such an order.

3.Now the Department has filed the writ appeal contending that the Writ Court has rightly set aside the order imposing penalty on the writ petitioner on the ground of not issuing proper opportunity to the writ petitioner,



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however, it has proceeded to issue directions to the District Collector and the Vigilance and Anti Corruption to conduct enquiry with regard to the irregularities in passing the order impugned in the writ petition, which is beyond the scope of the writ petition. Hence, to that extent alone, the appellants seek modification of the order passed by the learned Single Judge.

4.We have heard perused the order impugned in this writ appeal and also the materials placed on record.

5.The writ Court by analyzing the facts and materials placed, had rightly set aside the order impugned in the writ petition. However, it went one step ahead by directing the authorities to conduct enquiry with regard to the proceedings impugned in the writ petition. It is admittedly beyond the scope of the writ petition.

6.Therefore, we delete the observations in the form of directions issued by the writ Court in the order dated 25.09.2023 in paragraph Nos.19 (iii), 19 (iv) and 20. The other observations made by the learned Single Judge are hereby confirmed.



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7. Accordingly, this writ appeal is partly allowed. No costs.

Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] [S.S.Y., J.]

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