



W.P(MD)No.15009 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15009 of 2024

and

W.M.P.(MD)No.13161 of 2024

S.Ramachandran

...Petitioner

Vs.

1.The Secretary to Government of Tamil Nadu,
Natural Resources Department,
Secretariat, Chennai - 9.

2.The Commissioner of Geology And Mining,
Thiru Vi Ka Industrial Estate,
Guindy, Chennai - 32.

3.The District Collector,
Office of the District Collector,
Virudhunagar District.

4.The Assistant Director,
Geology and Mining,
Office of the District Collector,
Virudhunagar District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, to direct the 4th respondent herein to



W.P(MD)No.15009 of 2024

issue the transport permits on the basis of the order of the 2nd respondent dated 10.04.2023 for extending the lease period forthwith to the petitioner for the remaining period of 13 months within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan
For Respondents : Mr.K.S.Selvaganesan
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 4th respondent herein to issue the transport permits on the basis of the order of the 2nd respondent dated 10.04.2023 for extending the lease period forthwith to the petitioner for the remaining period of 13 months within the time stipulated by this Court.

2.The petitioner was the leaseholder but subsequently he was not permitted to carry on the lease for the balance 13 months due to non production of the environmental clearance certificate.

3.The issue of quarrying without environmental clearance certificate was decided by the Court in several cases wherein it is stated that environmental clearance is a must. Further, it is also held that wherever environmental clearance is obtained, if there was environmental clearance prior to the cut off date, there



W.P(MD)No.15009 of 2024

was a direction to allow the quarry operators to carry on the quarry. The said issue was considered by Honorable Division Bench in W.A.(MD)Nos.996, 1121 and 1130 of 2024, vide judgment, dated 28.10.2024 wherein it has been held as under:

"5. Mr.B.Saravanan, learned Senior Counsel appearing for the respondents would, however, submit that the Environmental Impact Assessment Certificate issued by the District Environment Impact Assessment Authority would be valid on the date when the order of the Writ Court was pronounced. But, due to a subsequent judgment of the National Green Tribunal, the situation has arisen, wherein the respondents are now under disadvantage of getting another Environmental Impact Clearance Certificate. The same cannot be avoided. Therefore, the Writ Appeals are disposed of with the direction that the State will grant extension and allow the respondents to quarry for the balance period and the balance period will commence from the date on which the respondents are allowed to quarry on their submitting Environmental Clearance Certificate from the State Level Environmental Impact Assessment Authority. No costs. Consequently, connected Miscellaneous Petitions are closed. "

4. Therefore, if the petitioner is submitting the environmental clearance certificate, then the respondents ought to consider the petitioner's claim for allowing to quarry for the balance 13 months. Hence, the respondents shall consider the petitioner's claim as in the light of the judgment, dated 28.10.2024, in W.A.(MD)Nos.996, 1121 and 1130 of 2024 and based on the production of the environmental clearance certificate.



W.P(MD)No.15009 of 2024

WEB COPY

5. With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

30.07.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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4/6



W.P(MD)No.15009 of 2024

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W.P(MD)No.15009 of 2024

S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.15009 of 2024**

DATED : 30.07.2025