



W.P(MD)No.17813 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17813 of 2025

Lourdu Akila

... Petitioner

Vs

1. The District Collector,
Kanniyakumari District,
Nagercoil.

2. The Sub Collector,
Padmanabapuram,
(Office at Thakkalai),
Kanniyakumari District.

3. The Deputy Director of Geology and Mining,
Collectorate,
Nagercoil,
Kanniyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to process the application submitted in Form-A by the petitioner dated 12.07.2024 seeking renewal of Certificate of Registration granted to the petitioner issued by the first respondent dated 03.07.2020 for further period of five years.

For Petitioner : Mr. M.Gnana Guru Nathan

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate



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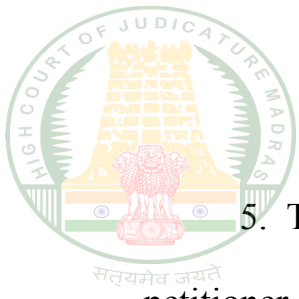
ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the first respondent to process the application submitted by the petitioner in Form-A dated 12.07.2024.

2. The petitioner has already submitted the application as early as July 2024, but still the respondents have not considered the same.

3. The learned Counsel appearing for the respondents submitted that the application is being processed and the Sub Collector has given a report, wherein it has been stated that the petitioner's land comes under HACA. Therefore, the petitioner should get a permission letter from HACA authority.

4. The next contention of the respondents is that the petitioner should obtain a certificate from the Pollution Control Board. However, it is seen that the petitioner is not doing any quarry or crushing. He is only purchasing quarry material, stocking them and re-selling the same. Therefore, a Pollution Control Board certificate may not be necessary. He further submitted that the petitioner is seeking an extension 10 years, which cannot be granted.



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5. The learned Counsel appearing for the petitioner submitted that the petitioner is not seeking a fresh license. He is already in possession of a valid license and is seeking an extension of the same. When the original license was granted to the petitioner, the respondents did not asked any certificate from HACA.

6. Therefore, this Court is of the considered opinion that as far as the HACA certificate is concerned, the respondents are not empowered to seek a HACA certificate, as the petitioner is only seeking a renewal of an existing license and not a fresh license. The respondents are directed to grant an extension of the license for a period of five years. It is made clear that the respondents shall not seek any permission letter from HACA authority or a certification from the Pollution Control Board.

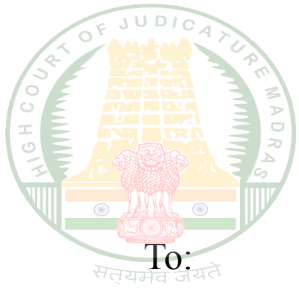
7. With the above said directions, this Writ Petition is allowed. There shall be no order as to costs.

02.07.2025

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

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S.SRIMATHY, J.

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ORDER MADE IN
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