



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.12.2025**

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)NO.17571 OF 2023

and

W.M.P(MD)No. 23434 of 2024

Bajiu Joseph

: Petitioner

.vs.

1. The Secretary to Government
State of Tamil Nadu
Mines and Minerals
Secretariat, Chennai-9
- 2.The District Collector,
Theni District, Theni
- 3.The District Collector,
Tenkasi District, Tenkasi
- 4.The Assistant Director,
Mines and Minerals
Tenkasi,Tenkasi District
5. The Assistant Director
Mines and Minerals
Theni District, Theni
- 6.The Inspector of Police,
Cumbum North Police Station
Theni District
- 7.The Sub Inspector of Police
Puliyarai Police Station
Tenkasi District



6. Thenkasi Iyarkai Vazha Padhukappu Sangam,
Registration No. SRG/Tenkasi/7/2023), 4.7.67,
Dakshinamoorthy Nagar,
Puliyarai Village,
Puliyarai, Sengottai Taluk,
Tenkasi District – 627 813,
represented by its General Secretary S. Jameen

(R6 impleaded as per order of this Court made in W.M.P
(MD)No.23791 of 2023 in W.P(MD)No.17571 of 2023,
dated 1.8.2024) : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 5 to allow the transport vehicles fitted with 12 wheels for transporting M-sand, quarry sand, P.sand, GSB extra from Tamil Nadu to Kerala State particularly at Cumbum Mettu Check Post, Theni District and Puliyarai Check post, Tenkasi District from licensed stone quarries with issuing appropriate necessary passes as like allowing the same Kanyakumari District to Kerala in the light of the representation of the petitioner's dated 29.06.2023 by considering the same in accordance with law.

For Petitioner	: Mr. P. Pugazh Gandhi
For Respondents 1 to 5	: Mrs. K. Malathi Addl. Govt. Pleader
For Respondent-6&7	: Mr. A. Albert James Govt. Advocate (Crl. side)
For Respondent-8	: Mr. A. K. Nagarajan



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ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 to 5 to allow the transport vehicles fitted with 12 wheels for transporting M-sand, quarry sand, P.sand, GSB extra from Tamil Nadu to Kerala State particularly at Cumbum Mettu Check Post, Theni District and Puliyarai Check post, Tenkasi District from licensed stone quarries with issuing appropriate necessary passes as like allowing the same Kanyakumari District to Kerala in the light of the representation of the petitioner's dated 29.06.2023 by considering the same in accordance with law.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The case of the Petitioner is that he is the owner of the transport lorries and the vehicles of the petitioner are used by quarry owners to transport mineral from quarries at Theni and Tenkasi District for the past several years. While being so, the respondents 4 to 7 are often giving trouble and preventing the vehicles containing 12 wheelers to transport minerals and also not issuing transit passes to such type of vehicles. Further large quantities of raw materials such as quarry dust, M.sand are required for laying the roads in connection with the construction of



roads. The officials 4 to 7 are preventing transportation of crusher dust, M.sand gravel and building materials from Tamil Nadu to Kerala through Cumbum check post at Theni District and Puliyarai Check post, Tenkasi District. hence on 26.06.2023 the contractor made a representation to the respondent and the petitioner herein has also made a representation dated 29.06.2023 to issue transit passes to allow the petitioner's vehicle to carry M.sand , dust and Jalli. Since the respondents did not evoke any response, the Petitioner has come forward with the present Writ Petition for the relief stated supra.

4.When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that the Petitioner's representation will be considered on merits and in accordance with law within the time limit prescribed by this Court.

5.In view of the above submission, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation of the Petitioner, dated 29.06.2023 and pass appropriate orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

6.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed. Till such



time, the interim order passed by this Court dated 05.09.2023 shall continue till the disposal of the petitioner's representation.

16.12.2025

NCC :Yes/No
Index:Yes/No
Internet:Yes/No
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KRISHNAN RAMASAMY, J.

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