



W.P(MD)No.18827 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.18827 of 2025

and

W.M.P.(MD).No.14467 of 2025

A.Sarthar Mohideen

... Petitioner

vs.

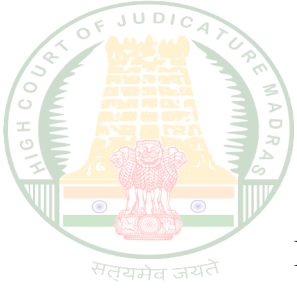
1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Natural Resources Department,
Fort St. George, Chennai 600 009.

2. The Director of Geology And Mining,
Department of Geology and Mining,
Guindy, Chennai 600 032.

3. The District Collector,
Tenkasi District,
Tenkasi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to the impugned order of the 3rd respondent passed in the proceedings bearing Rc. No. M1/52-32/2024 dated 23.05.2025 with reference to the stone quarry in the patta land bearing S.F.Nos. 422/3, 416/1, 2, 3, 4, 5, 425/18 and 425/20 over an extent 3.37.0 Hectares in Poolangulam Village, Alangulam Taluk, formerly Tirunelveli District, now Tenkasi District.



W.P(MD)No.18827 of 2025

WEB COPY

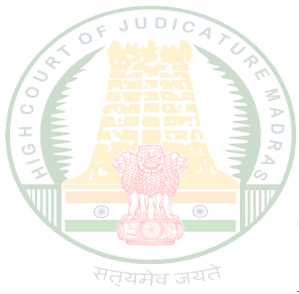
For Petitioner : Mr.V.Sanjeev
For Respondents : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorari, to quash the impugned order dated 23.05.2025 with reference to the stone quarry in the patta land bearing S.F.Nos. 422/3, 416/1, 2, 3, 4, 5, 425/18 and 425/20 over an extent 3.37.0 Hectares in Poolangulam Village, Alangulam Taluk, formerly Tirunelveli District, now Tenkasi District.

2. The petitioner is a license holder for quarrying. A similar issue was considered by another learned Single Judge of this Court in W.P. No.36268 of 2024, vide order dated 21.02.2025, wherein it held that environmental clearance is also necessary for quarrying activities. However, it was further observed that if such clearance had been obtained prior to the cut-off date, the permission for quarrying can be granted. The relevant portion of the said order is extracted hereunder:

“2. When the matter came up for hearing, the learned counsel appearing on behalf of the petitioner, drew the attention



WEB COPY



W.P(MD)No.18827 of 2025

of this Court to the impugned order passed on 30.09.2024. Referring to paragraph No. 7 of the impugned order, the learned counsel for the petitioner submitted that the entire penalty was levied on the petitioner only on the ground that the petitioner did not obtain the environmental clearance within the prescribed date and continued the quarry operation and therefore the penalty was imposed. The same is factually incorrect. The petitioner had obtained the environmental clearance on 19.07.2016, which was well within the last date, i.e., 10.01.2017. In similar matters, without relegating the parties to appellate or other remedies, this Court itself has allowed several writ petitions, including W.P. No. 15471 of 2020, among others.

3. The learned Advocate General appearing on behalf of the respondents submitted that, in the case of the petitioner alone, if the order is within the time limit, the same order could be passed”.

3. In the present case, the petitioner obtained the Environmental Clearance on 19.07.2016. The cut-off date is 10.01.2017. Therefore, it is evident that the petitioner had obtained the Environmental Clearance certificate prior to the cut-off date. Accordingly, by following the order referred to above, this Court is inclined to allow this writ petition.



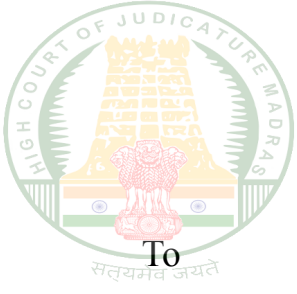
W.P(MD)No.18827 of 2025

4. Accordingly, this writ petition is allowed. The impugned order dated 23.05.2025 passed by the 3rd respondent is hereby quashed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

22.07.2025

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

KSA



W.P(MD)No.18827 of 2025

To

WEB COPY

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Natural Resources Department,
Fort St. George,
Chennai 600 009
2. The Director of Geology And Mining,
Department of Geology and Mining,
Guindy,
Chennai 600 032.
3. The District Collector,
Tenkasi District,
Tenkasi



WEB COPY



W.P(MD)No.18827 of 2025

S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.18827 of 2025**

DATED : 22.07.2025