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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.5481 of 2018

P.Mookiah Naicker ... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Deputy Director,
Mines and Minerals,
Collectorate Buildings,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

4.The Tahsildar,
Tiruchuli Taluk,
Virudhunagar District.

5.M.Pandiramanagulu

6.R.Ponraj

7.P.Srikrishnan

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8.S.Senthil Kumar

(R7 & R8 are impleaded vide order dated 01.10.2019 made in W.M.P.(MD)No.5950 of 2018 in W.P.(MD)No.5481 of 2018 by TSSJ & RTJ)

9.The State Environment Impact Assessment Authority (SEIAA),
3rd Floor, Panagal Maaliga No.1, Jeenis Road,
Saidapet, Chennai-600 015.
(R9 is suo motu impleaded vide order dated 11.03.2025 in W.P.(MD)No.5481 of 2018 by GRSJ & BPJ)

10.The Director of Geology and Mining,
Alandur Road,
Guindy Industrial Estate, Guindy,
Chennai 600 032.
(R10 is suo motu impleaded vide order dated 19.06.2025 in W.P.(MD)No.5481 of 2018 by GRSJ & BPJ) ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to initiate appropriate action against the respondents 5 & 6 and stop the illegal quarrying of soil made at Survey No.13/2, 13/3-A, 29/3B, 29/4-A, 29/4-B admeasuring 2.39.5 hectors of Chokkampatty Village and from Survey No.413/2, 414/1, 414/3 admeasuring 3.15.0 hectares as well as from Gundaru River adjacent to the aforesaid lands situated at Tiruchuli Village, Virudhunagar District in violation of the license granted to quarry "SAVADU SOIL" by considering the representation of the petitioner dated 17.08.2017 and 01.03.2018 within a stipulated time that may be fixed by this Court.

For Petitioner :Mr.S.C.Herold Singh

For Respondents :Mr.Ajmalkhan
Additional Advocate General
assisted by Mr.C.Venkatesh Kumar

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Special Government Pleader
for R1 to R4
: Mr.N.Dilip Kumar
for R7 & R8

: No appearance
for R5 & R6

ORDER

Heard both sides.

2. The petitioner is a resident of Tiruchuli Village. He has filed this writ petition for forbearing the authorities to ensure that there is no illegal quarrying of soil in the petition mentioned survey numbers as well as the river Gundaru. This Court ordered notice. Originally, the Deputy Director of Mines and Minerals, Virudhunagar, Thiru.Arumuganainar submitted a report giving a clean chit. His report reads that "no illicit quarrying had ever taken place".

3. We are not satisfied with the report. We called upon the District Collector, Virudhunagar to conduct spot inspection and submit a report. The report of the District Collector clearly undermines the earlier report submitted by Thiru.Arumuganainar.

4. But the learned Additional Advocate General informs the Court that as on date, there is no illicit quarrying. In order to probe the matter further, we impleaded SEIAA and called upon them to submit a status report. The findings of the SEIAA are as follows:-

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"During the Sub-Committee inspections of the site on 11.04.2025, the following findings are established.

1. The quarry lease granted lands located in Survey Nos. 413/2 & 414/1 are adjacent to the Gundaru River with zero distance from the Gundaru river and the land located in Survey Nos.414/3 is about 103 meters from the Gundaru River.

2. Illegal quarrying has been done in Gundaru river, taking advantage of grant of quarrying permission in Survey Nos.413/2, 414/1 & 414/3 in the Tiruchuli Village of Virudhunagar District.

3. Further, the Authority decided to immediately communicate the details of this illegal quarrying to Chairperson, TNPCB, Deputy Director General, IRO of MoEF & CC, Chennai, District Collector, Virudhunagar & AD of Mines Department, Virudhunagar for suitable penal action against the violator."

8. It is respectfully submitted that the letters vide reference Letter No.efile-047/Legal/2025, dated 11.06.2025 was sent to the Chairperson, TNPCB, Deputy Director General, IRO of MoEF & CC, Chennai, District Collector, Virudhunagar & AD of Mines Department, Virudhunagar for suitable penal action against the violator"

5. We called upon the District Collector, Virudhunagar to submit a further counter affidavit in the light of the status report filed by SEIAA. Today, when the matter was taken up for hearing, the learned Additional Advocate General submitted the counter affidavit. The District Collector undertakes that suitable action has already been initiated and that process will be taken to its

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logical conclusion. We are informed that Dr.V.P.Jeyaseelan, I.A.S., has been transferred and we expect the new District Collector Dr.N.O.Sukhaputra, I.A.S., to carefully go through the entire records and take the action already initiated to their logical conclusion.

6. The Writ Petition is disposed of accordingly. No costs.

[G.R.S., J.] [B.P., J.]
24.06.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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To
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Virudhunagar District,
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