



WEB COPY



1

W.P.(MD)NO.18728 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.18728 of 2023 AND

W.M.P.(MD)Nos.15543, 15544 and 15546 of 2023

S.Chelladurai

... Petitioner / Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Tamil Nadu Natural Resources Department,
St.George Fort, Chennai-9.
2. The Member Secretary,
State Level Environment Impact Assessment Authority,
3rd Floor, Panagal Maligai,
Saidapet, Chennai – 15.
3. The District Collector,
Tenkasi District, Tenkasi.
4. The Assistant Director of Mines and Geology,
Tenkasi District.
5. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Tenkasi, Tenkasi District.
6. The Tahsildar,
Kadayanallur Taluk, Tenkasi District.



7. The Executive Engineer,
Public Works Department(Water Resource Organization),
Upper Vaippar Basin Division,
Rajapalayam,
Virudhunagar District.

8. The Block Development Officer,
Vasudevanallur Panchayat Union,
Tenkasi District.

9. The Commissioner,
Puliyankudi Municipality,
Tenkasi District.

10. S.Paramasivan

... Respondents/
Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order in M1/21696/2014 dated 05.07.2023 on the file of the third respondent and quash the same.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.R.Baskaran,
Additional Advocate General,
assisted by,
Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 to R-8.
Mr.M.Rajarajan for R-9.

* * *



WEB COPY



ORDER

Heard both sides.

2. The petitioner is a resident of Tenkasi District. He challenges the impugned proceedings dated 05.07.2023 issued by the District Collector in favour that the 10th respondent permitting him to quarry sand from the petition-mentioned water body. The District Collector had issued the impugned proceedings dated 05.07.2023 granting permission under Rule 12 of the Tamil Nadu Minor Minerals Rules.

3. A bare look on the records cited in the impugned order would indicate that the tenth respondent has given application as early as on 04.06.2014. The Assistant Director of Geology and Mining, Tirunelveli gave his report dated 13.06.2015. The matter was left in limbo for several years. Only on 05.07.2023, permission was granted. This Court had earlier indicated that without ascertaining the quality of the mineral, permission cannot be mechanically granted under Rule 12. In the case on hand, the authority had stated that sand has been permitted to be quarried for the purpose of sale as well as public



distribution. In other words, it is not an order to favour an agriculturist for own purpose. On the other hand, commercial exploitation has been allowed. It is well settled that in such cases, license can be issued only through public auction. The impugned order has been arbitrarily issued in gross infraction of the mandate set out in Article 14 of the Constitution of India. We fail to understand as to how the application given in 2014 can be allowed nine years later in July 2023. The impugned order is quashed. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

16th October 2025

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

PMU

To:

1. The Secretary,
Tamil Nadu Natural Resources Department,
St.George Fort, Chennai-9.

2. The Member Secretary,

4/3



State Level Environment Impact Assessment Authority,
3rd Floor, Panagal Maligai,
Saidapet, Chennai – 15.

3. The District Collector,
Tenkasi District, Tenkasi.
4. The Assistant Director of Mines and Geology,
Tenkasi District.
5. The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Tenkasi, Tenkasi District.
6. The Tahsildar,
Kadayanallur Taluk, Tenkasi District.
7. The Executive Engineer,
Public Works Department(Water Resource Organization),
Upper Vaippar Basin Division,
Rajapalayam,
Virudhunagar District.
8. The Block Development Officer,
Vasudevanallur Panchayat Union,
Tenkasi District.

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU



WEB COPY



6

W.P.(MD)NO.18728 OF 2023

W.P.(MD)No.18728 of 2023

16.10.2025