



W.P(MD)No.21878 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.21878 of 2021

K.Selvi

... Petitioner

Vs

1.The Director of Geology and Mining,
Guindy,
Chennai – 600 032.

2.The District Collector,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Palani Revenue Division,
Palani,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Na.Ka.No.5719/MM6/2019 dated 24.08.2021 passed by the first respondent and quash the same as illegal in so far as the rejection order in respect of granting license for the unutilized period and consequently direct the respondents 1 and 2 to grant license for the unutilized period to the petitioner.

For Petitioner : Mr.S.Sankarapandian
for M/s.Arul Vadivel @ Sekar & Associates

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader



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ORDER

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This Writ Petition has been filed by the petitioner challenging the order passed by the first respondent dated 24.08.2021 thereby dismissing the appeal filed by the petitioner and directing the second respondent to re-measure the quarrying area comprised in Survey No.529/1 (Part IV) situated at Kallimandayam Village, Oddanchatram Taluk, Dindigul District with the help of the new technology.

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

3.The petitioner also sought for a direction to grant licence to quarry for the unutilized period. The permission to quarry for the unutilized period will arise only if the petitioner declares that he did not quarry excess beyond the permitted level. After the order passed by the first respondent, the second respondent by its communication dated 29.09.2021 directed the third respondent/the Revenue Divisional Officer to measure the quarrying land comprised in Survey No.529/1 (part IV) situated at Kallimandayam Village,



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Oddanchatram Taluk, Dindigul District with the help of the Assistant Director of Geology and Mining and the Assistant Director of Panchayat, Dindigul and to submit a report. However, so far no report has been submitted before the second respondent.

4.In view of the above, the third respondent is directed to measure the excess quarry done by the petitioner in the subject land and submit a report before the second respondent, within a period of four weeks from the date of receipt of a copy of this order, if not already submitted. On the strength of the report submitted by the respondents 2 and 3, the first respondent is directed to pass orders on the request made by the petitioner seeking permission to quarry for the unutilized period in the subject property forthwith.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

02.01.2025

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

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G.K.ILANTHIRAIYAN, J.

ps

Order made in
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02.01.2025