



W.P.(MD)No.22764 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

W.P.(MD)No. 22764 of 2025

and

W.M.P.(MD)Nos.17829 and 17830 of 2025

P.Shanmugam,
S/o.Palanimanickam,
Keezha Theru, Punalkulam Village,
Kantharvakottai Taluk,
Pudukottai District.

...Petitioner

Vs

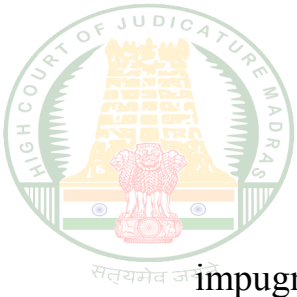
1.The District Collector,
Collectorate, Pudukottai District,
Pudukottai.

2.The Assistant Director of Mines,
O/o.the Assistant Director of Mines and Minerals Department,
Collectorate, Pudukottai District.

3.The Tahsildar,
Kantharvakottai Taluk,
Pudukottai District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India
for issuance of Writ of Certiorari, to call for the records in pursuant to the



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impugned order passed by the 1st Respondent in his proceedings no.Na.Ka.No.245/2025(PuMaSu), dated 08.08.2025, and quash the same.

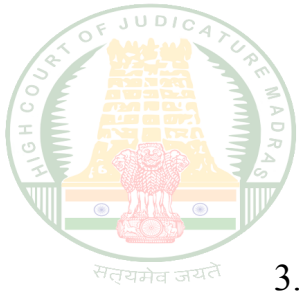
For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.M.Saravanakumar, learned counsel appearing for the Petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the Respondents.

2. This Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the 1st Respondent in his proceedings no.Na.Ka.No.245/2025(PuMaSu), dated 08.08.2025, and quash the same.

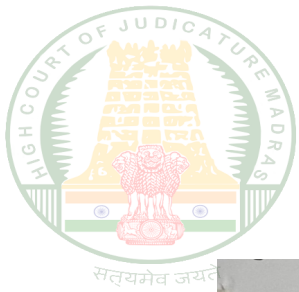


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3. Mr.M.Saravanakumar, learned counsel appearing for the petitioner, submits that the petitioner was not given an opportunity of personal hearing as directed by the Co-ordinate Bench of this Court vide order dated 03.03.2025 passed in W.P.(MD) No.5554 of 2025. He submits that an inquiry summon was issued on 02.07.2025 by the Assistant Director, Geology and Mining Department, Pudukottai, directing the petitioner to appear on 11.07.2025 along with one Muthumani and Rajkumar. Pursuant to the said summon, the petitioner appeared on 11.07.2025, but no further action was taken. Subsequently, the District Collector, Pudukottai, vide proceedings in Na.Ka.No.245/2025 (PDM) dated 08.08.2025, constituted a five-member committee to conduct a field inspection at Survey Nos. 205, 131, 257, and 259 of Manjapettai Village, Kandarakottai Taluk, Pudukottai District, and Survey No. 208 of Punalkulam Village, and to submit a detailed report within 15 days from the date of the said order.

4. For better appreciation, the order dated 08.08.2025 passed by the 1st Respondent is scanned and reproduced hereunder:



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PROCEEDINGS ORDERS OF THE DISTRICT COLLECTOR, PUDUKOTTAI

PRESENT : TMT.ARUNA, I.A.S.,

Na.Ka.No.245/2025 (PDM)

Dated.08.08.2025

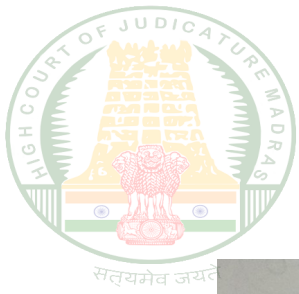
Sub: Minerals and Quarries – Pudukottai District – Kandarakottai Taluk – Manjapettai and Punalkulam Village – Illegal mining of minerals in Survey Nos.208, 205, 131 and 257 without government permission – Thiru.Muthumani, S/o.Karupaiyan, filed a case in the Hon'ble Madurai Bench of Madras High Court in WP(MD).No.5554 of 2025 – The final order of the Hon'ble Madurai Bench of Madras High Court was issued on 03.03.2025 – A special committee is constituted and ordered.

Ref: 1. Application of Thiru.Muthumani, S/o.Karupaiyan, 25B, Melatheru, Ariyanipatti, Theththuvasalpatti Post, Kandarakottai Taluk, Pudukottai, dated.21.01.2025 (Received at this office on 04.02.2025).

2. Madurai Bench of Madras High Court case WP(MD).No.5554 of 2025 order dated.03.03.2025.

ORDER:-

A case was filed in the Madurai Bench of Madras High Court, Madurai, by the Petitioner Thiru.Muthumani in WP(MD).No.5554 of 2025, alleging that, Thiru.Shanmugam and Thiru.Rajkumar had illegally excavated soil and sold without the permission of the government in the land Survey Nos.205, 131, 257 and 259 of Manjapettai Village, Kandarakottai Taluk, Pudukottai District and Punalkulam Village Patta Survey No.208 vide reference 1st cited. The Madurai Bench of Madras High Court has ordered the following in this case on 03.03.2025.



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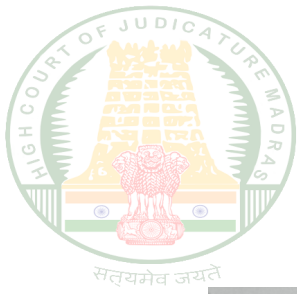
..... " to consider the representation of the petitioner dated 06.02.2025 by giving an opportunity of hearing to the petitioner as well as the respondents 4 and 5 and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs".

Accordingly, a committee is hereby constituted with the following officers to investigate whether minerals have been illegally mined in Pudukottai District, Kandarakottai Taluk, Manjapettai Village Patta Survey Nos.205, 131, 257 and 259 and Punalkulam Village Patta Survey No.208 and submit a report on whether such minerals have been mined.

1. The Tahsildar, Kandarakottai - Chairman.
2. The Assistant Geologist, Geology and Mining Department – Member.
3. The Deputy Tahsildar, Kandarakottai – Member.
4. The Firka Surveyor – Member.
5. The Village Administrative Officer, Manjapettai and Punalkulam – Member.

As per the order of the Madurai Bench of Madras High Court dated 03.03.2025, the petitioner Thiru.K.Muthumani is required to issue a final order on the petition, the above committee is directed to conduct a field inspection and submit a detailed report within 15 days from the date of this order.

Sd/- M.Aruna
District Collector
Pudukottai



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// As per the Order //

Sd/-08.08.2025
for District Collector

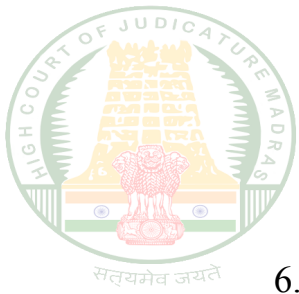
To:-

1. The Tahsildar, Kandarakottai.
2. The Assistant Geologist (Minerals), Pudukottai.
3. The Deputy Tahsildar, Kandarakottai.
4. The Firka Surveyor – Member.
5. The Village Administrative Officer, Manjapettai and Punalkulam.

Copy to:-

The Revenue Divisional Officer,
Pudukottai.

5. The learned counsel for the Petitioner further contends that the Committee may also hear the Petitioner before passing any order in the interest of justice, as the Petitioner has not engaged in any illegal activities in the aforementioned survey numbers, as stated in the letter dated 08.05.2025.



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6. Mr.M.Lingadurai, learned Special Government Pleader for the respondents, submits that there is an allegation against the petitioner regarding illegal mining of minerals at Survey Nos. 205, 131, 257, and 259 of Manjapettai Village, Kandarvakottai Taluk, Pudukottai District, and at Survey No. 208 of Punalkulam Village. He further submits that the petitioner did not appear on 11.07.2025, despite being called by the letter dated 02.07.2025 to justify his position, although he has filed a reply. He submits that the five-member committee was constituted by the letter dated 08.08.2025 solely to conduct a field inspection and submit a report. If it is found that the petitioner is not involved in any illegal mining of minerals on the land in question, then an appropriate order will be passed. He further submits that the petitioner and other aggrieved persons shall be heard before any final order is passed by the committee pursuant to the order dated 08.08.2025.

7. After considering the arguments advanced by the learned counsel for the parties and perusing the order dated 08.08.2025, it is seen that, as of today, no order has been passed by the respondents. Only a five-member



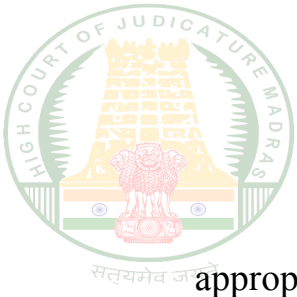
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committee has been constituted to conduct a field inspection regarding alleged illegal mining at Survey Nos. 205, 131, 257, and 259 of Manjapettai Village, Kandarakottai Taluk, Pudukottai District, and at Survey No. 208 of Punalkulam Village.

8. Therefore, this Court is of the view that before the committee submits its report, considering the facts of the case, the petitioner should also be heard by the said committee along with other aggrieved persons, namely, Muthumani S/o. Karupaiyan and Rajkumar S/o. Swaminathan. Thereafter, the committee may submit its report to the District Collector, Pudukottai.

9. Accordingly, this Court, without going into merits of the case directs the Members of the Committee to submit its report to the District Collector, Pudukottai as per the order dated 08.08.2025, after providing an opportunity of hearing to the Petitioner along with other aggrieved persons, namely, Muthumani S/o. Karupaiyan and Rajkumar S/o. Swaminathan. On receipt of such report by the Members of the committee,



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appropriate decision shall be taken by the District Collector, Pudukottai and the same shall be communicated to the petitioner and the said persons, namely, Muthumani S/o. Karuppaiyan and Rajkumar S/o. Swaminathan, forthwith. The Petitioner is also directed to serve a certified copy of this order to the District Collector, Pudukkottai, within three days from today.

10. In view of the above, this writ petition stands **disposed of**. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

10. Let a copy of this order be given to Mr.M.Lingadurai, learned Special Government Pleader, for necessary compliance and information to the Respondents.

20.08.2025

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Nsr



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WEB COPY **Note: Issue Order Copy on 20.08.2025.**

To:

- 1.The District Collector,
Collectorate,
Pudukottai District,
Pudukottai.
- 2.The Assistant Director of Mines,
O/o.the Assistant Director of Mines and Minerals Department,
Collectorate,
Pudukottai District.
- 3.The Tahsildar,
Kantharvakottai Taluk,
Pudukottai District.

Copy To:

5-Member Committee:

- 1.The Tahsildar, Kandarakottai.
- 2.The Assistant Geologist (Minerals), Pudukottai.
- 3.The Deputy Tahsildar, Kandarakottai.
- 4.The Firka Surveyor –Member
- 5.The Village Administrative Officer, Manjapettai and Punalkulam.



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SHAMIM AHMED, J.

Nsr

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