



W.P(MD)No.24165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24165 of 2025

R.Jagan

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District.

2.The Assistant Director Geology and Mining,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to extend the quarry lease for the non-operative period of 6 Months and 13 days in respect of the Petitioner's rough stone quarry in S.F.No.361/1 over an extent of 4.99.0 hectares of land in Idaigal Part-1 village, Ambasamudram Taluk, Tirunelveli District as per the representation dated 05.08.2025.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.K.S.Selvaganesan,
Addl. Government Pleader.



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ORDER

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Heard both sides.

2.The writ petitioner was granted quarry lease on 11.09.2020. The lease was for a period of five years. The quarry was in respect of the petitioner's patta land. The petitioner could not operate the lease for a period of six months and thirteen days. In fact, such stoppage of quarry operation took place on account of prohibitory action taken by the authorities. The petitioner seeks corresponding extension of the lease period. In fact, the petitioner's request was already conceded by the Commissioner of Geology and Mining vide proceedings dated 12.11.2022. Paragraph No.15 of the order of the appellate authority reads as follows:-

“15.The quarrying operation is affected from 15.05.2022 to 29.09.2022 hence the lessee is permitted to extend the lease for 5 months period.”

3.The grievance of the petitioner is that the second respondent who is subordinate to the Commissioner is not implementing the said order. Hence, this writ petition has been filed.



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4.The learned Additional Government Pleader for the respondents is right in contention that before granting such extension, survey has to be conducted. The proceedings originally issued in favour of the writ petitioner contained a ceiling limit. The petitioner had been permitted to quarry 8,49,670 cbm of rough stone and 62,366 cbm of gravel.

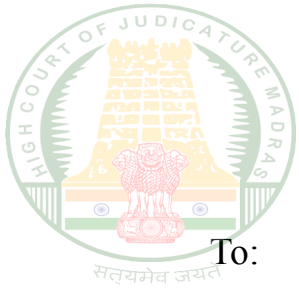
5.The respondents are directed to conduct drone survey at the cost of the writ petitioner. The drone survey shall be concluded within a period of three weeks from the date of receipt of a copy of this order. Based on the result of the drone survey, the petitioner's lease period shall be extended. If the ceiling limit had already been exhausted, the question of granting extension does not arise at all. If the ceiling limit had not been exhausted, the extension of the lease period shall be granted. But then, the petitioner will be bound by the ceiling limit already stipulated.

6.This writ petition is allowed on these terms. No costs.

11.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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