

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 03.11.2025****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.16095 of 2017 AND**
W.M.P.(MD)No.12775 of 2017

P.Kesari

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Madurai District.
 2. The Assistant Director of Geology and Mining,
O/o.the Assistant Director of Geology and Mining,
Collectorate,
Madurai District.
 3. The Superintendent of Police,
O/o.the Superintendent of Police,
Madurai District.
 4. The Tahsildar,
Peraiyur Taluk Office,
Peraiyur,
Madurai District.
 5. P.K.Appu @ Thoppanan
 6. P.Sangu Muthaiah
 7. P.Mookan
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the



respondents 1 and 2 to survey using scientific methodology including modern total station surveying technique and quantify the illegal mining and consequently to take action against the respondents 5 to 7 for the illegal mining of Red sand and gravel from the petitioner's patta land in an extent of 1 acre 66 cents in survey No.66/3, patta No.1620 situated at Mallapuram Village, Peraiyur Taluk, Madurai District without any lawful authority in violation of Section 4(1), 4(IA) and Section 21 of the Mines and Minerals (Development and Regulation) Act 1957 r/w. Rule 36A(1) of the Tamil Nadu Minor Minerals Concessions Rules.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.K.S.Selvaganesan,
Additional Government Pleader
for R-1,R-2 & R-4.

Mr.G.Thalaimutharasu
for R-5 & R-6.

Mr.A.Albert James,
Government Advocate for R-3.

Mr.K.N.Guru,
Advocate Commissioner.

* * *

ORDER

Heard both sides.



2. The petitioner no doubt has some patta issue with the private respondents. But he has also alleged that there has been illicit quarrying in the petition-mentioned lands. The petitioner had given representation before the first respondent. In this case, an Advocate Commissioner was appointed and he is said to have filed report *prima facie* confirming the allegation of the writ petitioner.

3. The first respondent will take into account all these aspects and pass a speaking order on the writ petitioner's complaint. This shall be done within a period of ten weeks from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

03.11.2025

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



WEB COPY



To:

1. The District Collector,
Collectorate,
Madurai District.
2. The Assistant Director of Geology and Mining,
O/o.the Assistant Director of Geology and Mining,
Collectorate,
Madurai District.
3. The Superintendent of Police,
O/o.the Superintendent of Police,
Madurai District.
4. The Tahsildar,
Peraiyur Taluk Office,
Peraiyur,
Madurai District.



WEB COPY



5

W.P.(MD)NO.16095 OF 2017

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.16095 of 2017

03.11.2025