



W.P.(MD) No.27568 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)No.27568 of 2025

and

W.M.P.(MD)Nos.21462 and 21463 of 2025

Madhusudhanan

... Petitioner

-Vs-

1.The Chairman,

State Level Environment Impact Assessment Authority,

(SEIAA),

No.327, Metros, 9th Floor,

Anna Salai, Nandanam,

Chennai-600 035.

2.The District Collector,

Ramanathapuram District,

Ramanathapuram.

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3.The Chairman,

District Level Environment Impact Assessment Authority,
Ramanathapuram District,
Ramanathapuram.

4.The Assistant Director,

Department of Geology and Mining,
Ramanathapuram,
Ramanathapuram District.

5.The Sub-Collector,

Paramakudi,
Ramanathapuram District.

6.The Tahsildar,

Paramakudi Taluk Office,
Paramakudi,
Ramanathapuram District.

7.S.P.Prabakar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 6 to take appropriate action against the 7th respondent's illegal quarrying operations in the lands in survey No.45/4 in Thenpothuvakudi revenue village and its neighboring lands in

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Thenpothuvakudi and Tholur revenue villages in Paramakudi taluk, Ramanathapuram District and consequently to direct the respondents 1 to 5 to impose penalty to the seventh respondent for his above illegal quarrying operations as per Rule 36-A of Tamilnadu Minor Mineral Concession Rules, 1959 by considering the petitioners representation dated 24.09.2025, within the time limit that may be fixed by this Court.

For Petitioner : Mr.S.Jeyakarthish
For R-1 to R-6 : Mr.J.K.Jayaselan,
Government Advocate
For R-7 : Mr.P.Krishnasamy

ORDER

[Order of the Court was made by M.DHANDAPANI, J.]

This Writ Petition has been filed seeking for a direction to the respondents 1 to 6, to take appropriate action against the 7th respondent's illegal quarrying operations in the lands in survey No.45/4 in Thenpothuvakudi revenue village and its neighboring lands in Thenpothuvakudi and Tholur revenue villages in Paramakudi Taluk, Ramanathapuram District and consequently to direct the respondents 1 to 5 to impose penalty on the seventh respondent for his alleged illegal quarrying operations as per Rule 36-A of Tamilnadu Minor Mineral



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Concession Rules, 1959, by considering the petitioner's representation dated 24.09.2025, within the time limit that may be fixed by this Court.

2.Learned Counsel for the petitioner would submit that the seventh respondent was granted quarrying license on 26.10.2023 in his private patta land in S.No.45/4, to an extent of 0.39.5 hectares and a lease deed was executed for a lease period of one year.

3.The grievance of the petitioner is that contrary to the quarry license, it is alleged that the seventh respondent has been carrying on quarrying operations in the said land as well as the adjoining lands. Aggrieved by the same, the petitioner being the adjacent land owner made a representation on 24.09.2025, before the fourth respondent. Since the said representation remains unconsidered, the petitioner has preferred the present Writ petition.

4.Learned Counsel for the petitioner would submit that this Court without going into the merits of the matter may issue a direction to the fourth respondent to consider the petitioner's representation dated 24.09.2025 and pass appropriate orders after providing opportunity to the seventh respondent within a reasonable time to be fixed by this Court.

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5.Learned Government Advocate appearing for the respondents 1 to 6 would submit that the petitioner's representation will be considered and appropriate orders will be passed after providing opportunity to the seventh respondent.

6.Per contra, learned Counsel for the seventh respondent would submit that admittedly, quarrying license was granted to the seventh respondent on 26.10.2023 in patta land in S.No.45/4, to an extent of 0.39.5 hectares and lease deed was executed between the seventh respondent and the Government vide Document No.3879 of 2015 dated 25.07.2025. However, the petitioner being the adjacent land owner and is employed in TASMACH shop, is not a genuine person. There are two criminal cases against him pending before the Paramakudi Town Police Station. Therefore, he has no *locus standi* to make a complaint against the seventh respondent. Hence, he has not approached this Court with clean hands and therefore, learned Counsel for the seventh respondent vehemently opposed for consideration of the petitioner's representation. He would also submit that there is an alternate remedy available to the petitioner to approach the National Greens Tribunal instead of filing a Writ Petition under Article 226 of the Constitution of India.

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7.Heard the learned Counsel on either side.

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8.Admittedly, the petitioner has made a representation before the fourth respondent alleging that the seventh respondent is excavating large extent of land than the permitted area as per the quarry license and the said representation is still pending consideration. Hence, this Court, without going into the merits of the matter directs the fourth respondent to consider the said representation of the petitioner dated 24.09.2025 and pass orders after providing an opportunity of hearing to the petitioner as well as the seventh respondent, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

9.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[M.D.I.,J.] & [M.J.R, J.]

03.10.2025

NCC : Yes / No
Index : Yes / No

MR

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