



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

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Thursday, the Thirtieth day of January Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

WMP(MD). No.26416 of 2024

in

WP(MD) No.30411 of 2024

S.Sakthivel

... Petitioner/Petitioner

Vs

The Assistant Director
Department of Geology and Mining,
District Collectorate Campus,
Virudhunagar-626002.

... Respondent/Respondent

WMP(MD) No.26416 of 2024:

Petition filed under Article 226 of the Constitution of India, praying this Court to appoint an advocate commissioner to visit the petitioners patta land in Survey No.885/3B2, Nenmenni Village, Sattur Taluk, Virudhunagar District and file a report on whether river sand deposits are found in the said land.

WP(MD) No.30411 of 2024:

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for records relating to the impugned order made by the respondent in R-Dis.KV/1/917/2021 dated 28.11.2024 and quash the same as illegal and consequently direct the respondent to grant mining lease in favour of the



petitioner to quarry earth in Survey No.885/3B2, Nenmenni Village, Sattur Taluk, Virudhunagar District.

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Order:

This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.abudu Kumar Rajarathinam, Sr.Counsel, Advocate for the Petitioner and of Mr.R.Baskaran, Addl.Advocate General,VI, Assisted by Mr.S.Shanmugavel, Additional Government Pleader, for the Respondent and this Court made the following order:

The main Writ Petition has been filed challenging the impugned order passed by the respondent dated 28.11.2024 and consequently direct the respondent to grant mining lease in favour of the petitioner to quarry earth in Survey No.885/3B2, situated at Nenmenni Village, Sattur Taluk, Virudhunagar District. While pending Writ petition, the petitioner filed this petition, to appoint an Advocate Commissioner to visit the petitioner's patta land in Survey No.885/3B2, situated at Nenmenni Village, Sattur Taluk, Virudhunagar District and to file a report, whether river sand deposits are found in the said land.

2. Heard the learned counsel on either side and perused the material available on record.



3. This Court finds out prima facie case for appointment of Advocate Commissioner.

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4. In view of the above, this Court appoints **Ms. Anantha Devi, Advocate (MS.No.674/2009) Mobile No.9942178166, No.124, Kasim Residency, Y.Othakadai, Madurai** as Advocate Commissioner. The Advocate Commissioner is directed to inspect the land comprised in Survey No.885/3B2, situated at Nenmenni Village, Sattur Taluk, Virudhunagar District and found out any river sand deposits in the subject property, if so, on what depth river sand in the subject land, with the presence of the respondents. Thereafter, if any river sand found in the subject property, it is subjected for analysis test with the Authorized Laboratory approved by the Tamil Nadu State Government at the cost of the petitioner.

5. Remuneration of Rs.75,000/- (Rupees Seventh Five Thousand only) payable by the petitioner.

6. Accordingly, this Petition stands allowed. Advocate commissioner report by 27.02.2025. Post the main Writ Petition on 27.02.2025.

Sd/-

Assistant Registrar(CS II)

// True Copy //

31/01/2025

Sub Assistant Registrar
(CS - I/ II / III /IV)



To

The Assistant Director

Department of Geology and Mining,
District Collectorate Campus,
Virudhunagar-626002.

Copy to

MS.ANANTHA DEVI, ADVOCATE,MS NO.674/2009
NO.124, Kasim Residency, Y.Othakadai,
Madurai, PH No.9942178166

ORDER DATED : 30/01/2025
HEARING DATE: 27/02/2025

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order
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WMP(MD). No.26416 of 2024
in
WP(MD) No.30411 of 2024
Giving direction and etc.
as stated within.

MK/31.01.2025 4P/3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023