



WEB COPY

WP No. 1836 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 1836 of 2025

and

WMP No.2092 of 2025

P.K.K.Exports
Represented by its Managing Partner,
Mr.G.P.Panneer,
No.31, Elangovadigal Street,
K.K.Nagar, Madurai-20

..Petitioner(s)

Vs

1. The Government of Tamilnadu
Rep. by its Secretary to Government,
Natural Resources Department,
Fort St.Geroge, Chennai-600 009
2. The Commissioner of Geology and Mining
Department of Geology and Mining, Guindy,
Chennai-600 032
3. The District Collector
Namakkal District, Namakkal
4. The Assistant Director of Geology and Mining
Department of Geology and Mining,
Collectorate, Namakkal District,
Namakkal

..Respondent(s)



Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order of the 3rd respondent passed in bearing Na.Ka.No.641/Kanimam/2019 dated 24.10.2024 demanding 100% cost of mineral for quarrying the excess volume of granite from the pata land (leasehold area) S.F.Nos.488/1B(P), 488/2(P), 489/3(P), 489(4)P, 489/5A(P), 497 and 503/3(P) admeasuring 4.86.0 Hectares in Sithampoondi village, Paramathivelur Taluk, Namakkal District and to quash the same

For Petitioner Mr.V.Sanjeevi

For Respondents: Mr.Stalin Abimanyu for R1 to R4
Additional Government Pleader

ORDER

This petition has been filed challenging the impugned order of the third respondent dated 24.10.2024 and seeking to quash the same.

2.The learned counsel for the petitioner would submit that, the Government of Tamil Nadu, vide G.O. (3D) No.73 Industries (MME-II) Department dated 10.03.2015, granted a quarry lease in favour of the petitioner for quarrying multi-coloured granite from the patta land bearing



S.F.Nos.488/1B (P) etc. admeasuring 4.86.0 Hectares in Sithampoondi Vilalge, Paramathivelur Taluk, Namakkal District for a period of 20 years. Pursuant thereto, a lease agreement was executed on 17.04.2015 for a period of of 20 years commencing from 17.04.2014 and ending on 16.04.2035. Though the petitioner obtained the Environmental Clearance on 11.02.2015, the third respondent District Collector, issued a notice dated 07.07.2020, demanding 100% cost of mineral for the volume of 7584.605 of granite is quarried over and above the the quantity mentioned in the Environment Clearance. Challenging the same, the petitioner filed W.P No.10923 of 2020. When the writ petition was pending, the third respondent issued a notice dated 15.07.2024, requiring the petitioner to appear for personal hearing on 16.08.2024. The petitioner appeared before the third respondent and stated that already, he submitted the modified mining plan as early as on 05.08.2015; that the same was forwarded to the approving authority Commissioner of Geology and Mining by the District Collector, Namakkal vide letter dated 11.08.2015; that the mineral quarried was with the transport permit issued by the Deputy/Asst. Director of Geology and Mining, Namakkal on payment of seigniorage fee and requested for dropping further action. Without considering his reply, the third respondent District Collector, Namakkal passed the impugned order dated 24.10.2024, reiterating the earlier demand. Since the petitioner obtained Environment Certificate on 11.02.2015 prior to 630 days i.e before 10.01.2017, the impugned order reflects



non-application of mind and is liable to be set aside. Accordingly, he prayed for appropriate orders.

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3.The learned Additional Government Pleader appearing for the respondents would fairly submit that this Court may set aside the impugned order and remand the matter back to the third respondent / District Collector for fresh consideration.

4.Heard the learned counsel appearing on either side and perused the materials on record.

5.Considering the submissions mad by both sides, the impugned order dated 24.10.2024 passed by the third respondent is set aside, and the matter is remanded back to the third respondent for fresh consideration, limited solely to ascertaining whether any excess quarrying was carried out during the lease period. The third respondent shall conduct an enquiry and pass appropriate orders in accordance with law, after affording a reasonable opportunity of hearing to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01-04-2026

Index: Yes/No

(3/4)

Speaking/Non-speaking order

Neutral Citation: Yes/No

Uma

To

1. The Secretary to Government,
Natural Resources Department,
Fort St.Geroge, Chennai-600 009
2. The Commissioner of Geology and Mining
Department of Geology and Mining,
Guindy, Chennai-600 032
3. The District Collector
Namakkal District, Namakkal
4. The Assistant Director of Geology and Mining
Department of Geology And Mining,
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M.DHANDAPANI, J.

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