



WEB COPY

WP No. 5794 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 5794 of 2026

and WMP.Nos.6308, 6309 & 8904 of 2026

Madhanalal D Chawla
S/o Dowlatram,
No 15, Vidyalaya Road,
Salem 636 007

..Petitioner(s)

Vs

1. The District Collector
Salem District,
Salem District Collectorate buildings,
Salem 636 001
2. The Assistant Director of Geology and Mining,
Collectorate Buildings, Salem 1
3. Apn M Sand,
Rep by its Partner P.Lakshmi, S.F.No.431/23/1,
Thottiyam Kadu, Santhiyur, Mallur Via,
Parapatti Post, Salem Taluk and District,
Pincode - 636 603. (R3 IMPEADED VIDE
ORDER DATED 05.03.2026 MADE IN
WMP.7012/2026 IN WP.5794/2026 BY MDIJ)
4. Thirumalai Contracts,
Rep. by its Proprietor P.Sivanandham, S/o.
Palanisamy, 2/48, Mettukadu, Santhiyur, Mallur
Via, S.Attaiyampatty Post, Salem Taluk and
District, Pincode - 636 203.
(R4 IMPEADED VIDE ORDER DATED
05.03.2026 MADE IN WMP.7018/2026 IN
WP.5794/2026 BY MDIJ)



5. Sri Bhagavathi Amman Blue Metals,
Represented by its Proprietor
Thiru.M.Palanisamy, 2/48, Mettukadu,
Santhiyur, S. Attaiyampatty Post, Salem Taluk
and District - 636 203.
(R5 IMPEADED VIDE ORDER DATED
05.03.2026 MADE IN WMP.7269/2026 IN
WP.5794/2026 BY MDIJ)

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records with respect of the tender notification dated 29.01.2026 issued by the 1st respondent in Rc. No 36/ 2026 / Mines -A, inso far as it relates to the poramboke land in S. No3 (Part) and 39 (part), Sandiyur Village, Salem Taluk and District, consequently forbid the respondents from renewing, re-auctioning, or granting any quarry lease in respect of the said land.

For Petitioner(s):

Mr.T.Mohan, Sr. Counsel
for Mr.R.Nalliyappan

For Respondent(s):

Mr.J.Ravindran, AAG
Asst. by Mr.U.Baranidharan, SGP for R1 & R2

Mr. V.Sanjeevi for R3 & R4

ORDER

Challenging the tender notification dated 29.01.2026 issued by the first respondent in Rc. No 36/ 2026 / Mines -A, insofar as it relates to the poramboke lands in S.No.3 (Part) and 39 (part), Sandiyur Village, Salem Taluk and District, the present Writ Petition has been filed. Consequently, the petitioner has sought



for a direction to forbid the respondents from renewing, re-auctioning, or granting any quarry lease in respect of the said lands.

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2. Heard the learned counsels appearing on either side.

3. It is the case of the petitioner that he is the owner of the properties comprised in Survey Nos.12 to 24 to an extent of 70 acres of industrial classified lands situated in Sandiyur Village, Salem Taluk and District, which were subjected to quarry leases earlier last being on 25.02.2024. Due to continuation of quarrying activities in S.Nos.3 (Part) and 39 (part), Sandiyur Village, Salem Taluk and District, which are Government Poramboke lands, the petitioner along with some other land owners of the same locality are unable to develop their lands and hence, they raised their objections. While that being so, the present impugned notification was issued by the first respondent on 29.01.2026, for grant of quarry lease for the aforesaid lands. Aggrieved by the same, the present Writ Petition.

4. The learned Senior counsel appearing for the petitioner submitted that the quarrying activities are taking place in the Government Poramboke lands in S.Nos.3 (Part) and 39 (part), Sandiyur Village, Salem Taluk and District, which are within 300 meters of the petitioner's property which is a clear violation of the Rule 36(1)A of the Tamil Nadu Minor Mineral Concession Rules, 1959 [for



brevity, hereinafter “the Rules”] as the same impose a clear prohibition on the grant of quarry leases for rough stone within 300 meters of the inhabited areas.

He further submitted that the petitioner’s properties are situated within 300 meters of the said Government Poramboke lands, where quarrying operations are being carried out and hence, he along with similarly affected land owners made objections as they are unable to develop their lands. He contended that as the said quarrying operations were prohibited in terms of 36(1)A of the Rules, the first respondent has issued the impugned notification dated 29.01.2026, proposing to grant quarry lease in the lands in issue and hence, the present Writ Petition.

5. Per contra, the learned Additional Advocate General appearing on behalf of the respondents 1 and 2 submitted that the objections of the petitioner and any other interested parties will be considered by the respondents prior to four weeks of the execution of the quarry lease for the aforesaid lands and thereafter, appropriate orders will be passed by the respondents in the said issue.

6. Considering the facts and circumstances of the case and also taking note of the submissions made by the learned Senior counsel for the petitioner as well as the learned Additional Advocate General, this Court permits the petitioner to make an application to the first respondent ventilating all his objections and grievances, within a period of one week from the date of receipt



of a copy of this order. Upon receipt of the same, the first respondent shall consider the petitioner's application and any other objections received from any aggrieved parties and to pass appropriate orders strictly adhering to the Rules. Such an exercise shall be completed within a period of four weeks prior to the execution of the lease deed for quarrying the subject lands.

7. With the above directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

10-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DP

To

1. The District Collector
Salem District,
Salem District Collectorate buildings,
Salem 636 001
2. The Assistant Director of Geology and Mining,
Collectorate Buildings, Salem 1



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M.DHANDAPANI, J.

DP

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