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W.A.No.1712 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WA No.1712 of 2026
and CMP No.15620 of 2026

E.Jeyaprabhu
S/o Elango Shanmugam,
Plot No.19, Bharathi Street,
Krishnamoorthy Nagar, K.K.Nagar,
Tiruchirappalli-620 021.

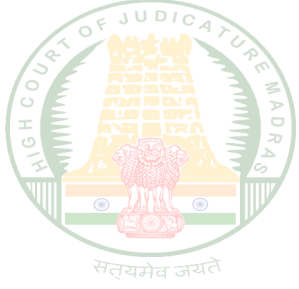
Appellant(s)

Vs

1. The Director
Department of Geology and Mining,
Guindy, Chennai-600 032.
2. The Additional Chief Secretary,
Revenue Department, Secretariat,
Chennai-600 009.
3. The Director General of Police,
Kamarajar Salai, Chennai-600 004.

Respondent(s)

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Single Judge in W.P.No.39328 of 2025, dated 23.10.2025.



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For Appellant(s): Mr. M.Vijaya Kumar

For Respondent(s): Mr.T.Gowthaman
Additional Advocate General
Assisted by Mr. Mohammed Fayaz Ali
Government Pleader
for R1 and R2

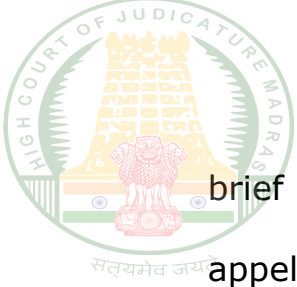
Mr.M.Dinesh
Government Advocate (Criminal Side)
for R3

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

This writ appeal, preferred under Clause 15 of the Letters Patent, seeks to assail the validity of the order dated 23.10.2025, passed by the learned Single Judge in W.P.No.39328 of 2025. By the said order, the learned Single Judge disposed of the writ petition by recording the submission made on behalf of the State authorities that the transport vehicles of the appellant would not be subjected to any extra-legal restrictions, provided they operate under valid transit permits issued by both the contiguous States, namely, Kerala and Tamil Nadu.

2. In order to appreciate the contours of the controversy, a



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brief reference to the background facts is indispensable. The appellant claims to be a transporter engaged in the business of transporting commodities such as mineral sand, crusher dust, M-sand and gravel, inter-state from Kerala to Tamil Nadu.

3. Invoking the extraordinary jurisdiction of this court under Article 226 of the Constitution of India, the appellant sought a writ of mandamus to enjoin the State authorities from impeding his vehicles under the guise of statutory "checking", except for a minimal, time-bound verification of the regulatory E-passes.

4. When the matter came up for consideration before the learned Single Judge, learned Additional Government Pleader appearing for the State extended a clear and unequivocal assurance that the free movement of the appellant's vehicles would remain entirely unhindered, subject only to the production of valid statutory permissions and transit permits from both the originating and destination States. The learned Single Judge recorded the undertaking of the learned Additional Government Pleader and disposed of the writ petition accordingly.



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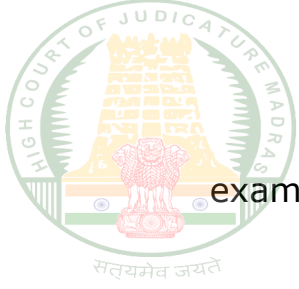
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5. Aggrieved by the aforesaid disposition, the appellant has filed this intra-court appeal.

6. Learned counsel for the appellant submits that the impugned order lacks the character of a reasoned judicial determination. It is argued that the learned Single Judge failed to adjudicate the core controversy on merits and erroneously abdicated the judicial function by merely recording the oral instructions of learned Additional Government Pleader.

7. It is further contended that the regulatory checks at the border check-posts amount to systematic harassment, resulting in undue delay. It is contended that such actions act as an embargo on his fundamental rights to trade and commerce guaranteed under Article 19(1)(g) and Article 301 of the Constitution of India, especially when he holds a valid inter-state permit issued by the State of Kerala.

8. We have heard the learned counsel on either side and



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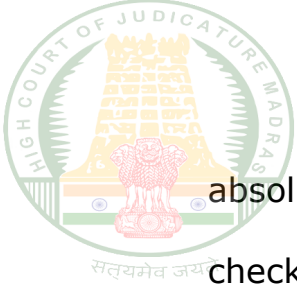
examined the records of the writ petition.

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9. At the very outset, we find the appellant's grievance regarding the "non-application of judicial mind" or "denial of substantive relief" to be entirely misconceived and legally fragile. The prayer in the writ petition was to prevent the State authorities from intercepting the vehicles *except for reasonable verification*. In response, the State conceded that no hindrance would be caused if valid transit permits for both States were produced. By recording this, the learned Single Judge essentially granted the core substance of the relief sought by the appellant.

10. The grievance of the appellant that a permit issued by the State of Kerala is sufficient to insulate his vehicles from checking within the territory of Tamil Nadu is legally untenable. The State authorities are empowered to regulate the transit of minerals within its territorial boundaries to curb illegal mining and mineral theft.

11. The freedom of trade and commerce guaranteed under Article 301 of the Constitution is not absolute, nor does it afford an



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absolute immunity or a "free pass" to bypass regulatory checkpoints. It is subject to reasonable restrictions and regulations enacted for the public good. A routine regulatory check-stop to verify whether a transporter carries a valid transit permit for the State through which the minerals are moving does not constitute an arbitrary restriction on trade. It is, instead, a salutary measure to ensure the rule of law.

12. Restraining the State authorities from carrying out statutory verification would amount to issuing a license to the transporters to transport minerals without administrative oversight. The law cannot countenance such a blanket immunity. The statement recorded by the learned Single Judge balances the commercial freedom of the individual with the regulatory duties of the welfare State.

13. The impugned order does not suffer from any illegality, perversity, or error of law. It effectively safeguards the legitimate business interests of the appellant while rightfully preserving the authority of the State to perform routine checks. The appeal lacks



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any legal substance and is entirely devoid of merit.

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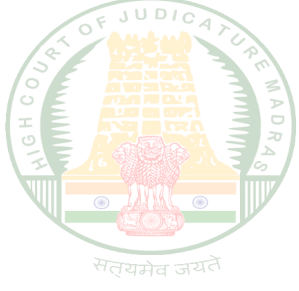
As a sequel, the writ appeal is dismissed. The order passed by the learned Single Judge is hereby confirmed. There shall be no order as to costs. Consequently, interim application stands closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
02.07.2026

Index : Yes
Neutral Citation : Yes
sasi

To:

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