



W.P. No. 19949 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.05.2026

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. No. 19949 of 2026

&

W.M.P. Nos.21306 & 21307 of 2026

S. Kandasamy

..Petitioner

Vs.

1. The District Collector,
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
3. The Tahsildar,
Kumarapalayam, Namakkal District.
4. The Assistant Director of Geology &
Mining,
Namakkal Collectorate Complex,
Namakkal District.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for
issue of a Writ of Certiorarified Mandamus to call for the records relating to



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the order of the 1st respondent dated 11.05.2026 in Na.Ka.No. 427/Kanimam/2021 and quash the same and consequently direct the respondents to conduct inspection on the petitioner's land in Survey No. 22/4, at Sowdhapuram Village, Kumarapalayam Taluk, Namakkal District in the presence of the petitioner based on the representation of the petitioner dated 15.05.2026 and to dispose of the appeal of the petitioner based on the fresh report of the respondents.

For Petitioner :: Mr.K. Selvaraj

For Respondents :: Mr. Hasan Fizal,
Addl. Govt. Pleader

O R D E R

Heard both sides.

2. The writ petitioner is said to have indulged in illicit mining. Penalty was imposed on him. Challenging the same, the petitioner filed an appeal before the District Collector, Namakkal District. The said appeal came to be dismissed by the Appellate Authority by order dated 26.11.2024. Challenging the same, the petitioner filed W.P. No.39414 of 2024 and the writ petition was allowed by this Court by order dated 01.12.2025 as hereunder:



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“5. *Considering the facts and circumstances of the case, this Court is of the view that the petitioner has lost the opportunity to present his case before the Appellate Authority, only due to the delay in serving notice, and hence, the impugned order is liable to be set aside. Accordingly, the impugned order is set aside and remanded to the District Collector for fresh consideration. The District Collector shall issue fresh notice and hear the petitioner and thereafter, dispose of the appeal within a period of two months from the date of receipt of a copy of this order. It is made clear that the appeal shall be disposed of after hearing the parties within two months from the date of receipt of a copy of this order.*”

3. Pursuant to the said order, the petitioner has been called for enquiry on 22.05.2026. The petitioner's grievance is that the authority is placing reliance on two inspection reports and that they have not been furnished to him. They are (i) the report dated 15.04.2021 submitted by the Tahsildar, Kumarapalayam and (ii) the report dated 03.02.2020 of Assistant Director of Geology and Mining, Namakkal. Both these reports find reference in the earlier proceedings dated 23.04.2021.

4. As the petitioner has been called for an enquiry on 22.05.2026, the petitioner shall appear before the 1st respondent on 22.05.2026 and on the said date, the 1st respondent shall furnish copies of aforesaid reports to the petitioner. The petitioner shall be given reasonable



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G.R. SWAMINATHAN,J.

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time to submit his explanation and thereafter, the 1st respondent shall pass orders as per law.

5. With the above directions, the writ petition is disposed of. No costs. Connected W.M.Ps are closed.

20.05.2026

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Note: Issue today/22.05.2026

To

1. The District Collector,
Namakkal District,
Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.
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