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WP Nos. 20895 & 20897 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP Nos. 20895 and 20897 of 2025

and

WMP Nos.23614 and 23615 of 2025

W.P No.20895 of 2025

S.Saravanan
Managing Director
Sathammal Chemicals (Pvt.) Ltd.,
No.69, Ganapathy Nagar
Thiruvanaikovil,
Tiruchirappalli-620 005

..Petitioner(s)

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary to Government,
Natural Resources Department,
Fort St.George,Chennai-600 009
2. The Director of Geology and Mining
Department of Geology and Mining,
Guindy, Chennai-600 032
3. The District Collector
Perambalur District,
Perambalur

..Respondent(s)



W.P No.20897 of 2025

S.Subramanian
Managing Director
Samyapuram Vel Industries Private Ltd,
69, Ganapathy Nagar,
Thiruvananthapuram, Trichy-620 005

..Petitioner(s)

Vs

1.The Government of Tamilnadu
Rep. by its Additional Chief Secretary to
Government,
Natural Resources Department,
Fort St.George,
Chennai-600 009
2. The Director of Geology and Mining
Department of Geology and Mining,
Guindy, Chennai-600 032
3.The District Collector
Perambalur District,
Perambalur

..Respondent(s)

PRAYER in W.P No.20895 of 2025: Writ petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned orders of the 3rd respondent District Collector, Perambalur passed in proceedings in Ref.Rc.No.152/ G and M/2024 dated 25.11.2024 and 25.4.2025 levying and demanding the Annual Surface Rights compensation with regard to the Government Poromboke land (leasehold land bearing S.F.No.18/2A (Part), 18/2B, 18/2C, 19/1A(Part), and 19/1C (Part) admeasuring 3.56.5 Hectares in Vayalapadi Village, Kunnam Taluk,



Perambalur District, for the years 2024-2025 and 2025-2026 and to quash the same.

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PRAYER in W.P No.20897 of 2025: Writ petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned orders of the 3rd respondent District Collector, Perambalur passed in proceedings in Ref.Rc.No.152/ G and M/2024 dated 25.11.2024 and 25.4.2025 levying and demanding the Annual Surface Rights compensation with regard to the Government Poromboke land (leasehold land bearing S.F.No.14/3A(Part), 14/3B(part), 15/1A(Part) and 15/1B(Part), admeasuring 2.52.0 Hectares in Vayalapadi Village, Kunnam Taluk, Perambalur District for the years 2024-2025 and 2025-2026 and to quash the same.

In both WPs

For Petitioner: Mr.V.Sanjeevi

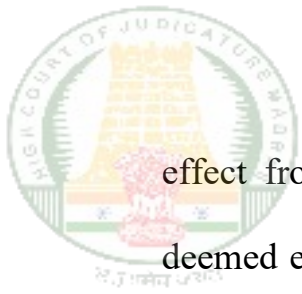
For Respondents: Mr.Stalin Abhimanyu
Additional Government Pleader

COMMON ORDER

These two writ petitions have been filed challenging the impugned orders passed by the third respondent dated 25.11.2024 and 25.04.2025 and seeking to quash the same.



2.The case of the petitioner in W.P No.20895 of 2025 is that the Government of Tamil Nadu vide G.O.3(D) No.128, Industries (MMA.2) Department dated 15.09.1998, granted a mining lease to the petitioner for limestone over 4.75.0 Hectares from the Government Poromboke land bearing S.F Nos.18/2A (Part), 18/2B, 18/2C, 19/1A(Part, and 191/C (Part) admeasuring 3.56.5 Hectares and the patta land bearing S.F Nos.17/1A, and 20/1 admeasuring 1.18.5 Hectares in Vayalapadi Village, Kunnam Taluk, Perambalur District for a period of 20 years. While granting the lease, the Government imposed a condition that, for surface rights over the Government poromboke land, the District Collector will fix and collect the compensation amount annually under Rule 72 of the Mineral Concession Rules, 1960. Aggrieved by this condition, the petitioner preferred a Revision Application before the Central Government under Section 30 of the M.M(D & R) Act, 1957 read with Rule 54 of the Mineral Concession Rules, 1960. Pursuant thereto, the 3rd respondent/District Collector, Permbalur, by proceedings dated 15.02.1999, fixed a sum of Rs.53,475/- per annum towards surface rights annual compensation and demanded the same every year in advance on or before 31st March. Since the amount is low, the petitioner has been paying the same till the year 2024-2025 under protest, though the petitioner is not liable to pay the same in the light of the order of the Central Government, dated 24.12.2002 in the Revision Application filed by him. During the period of lease, the Parliament amended the Mines and Minerals (Development and Regulation) Act, 1957 with

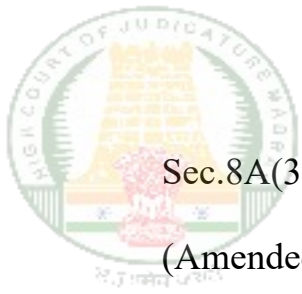


effect from 12.01.2015, by Act 10 of 2025 inserted Rule 8A providing for deemed extension of lease period for the major minerals. Thereafter, by virtue of the amended provision of law, i.e Sec.8A(3) of the Mines and Minerals (Development and Regulation) Act, 1957 (Amended Act 10 of 2015), the above said lease is deemed to be extended upto 16.09.2048 by operation of law. To that effect, the Government vide G.O (4D) No.2 Industries (MMA-1) Department, dated 14.02.2022 extended the lease up to 11.03.2049 as per Sec.8A (3) of the Mines and Minerals (Development and Regulation) Act, 1957. The 3rd respondent District Collector, Perambalur, without issuing any notice, vide the impugned order dated 25.11.2024, fixed and demanded annual surface rights compensation of Rs.6,50,623/- for the year 2024-2025 based on the report given by the Assistant Director of Agriculture, Veppur dated 20.11.2024. Similarly, the 3rd respondent District Collector, Perambalur, without any notice, vide impugned order dated 25.04.2025, fixed and demanded annual surface rights compensation of Rs.6,50,623/- for the year 2025-2026 based on the report given by the Assistant Director of Agriculture, Veppur dated 21.04.2025. Aggrieved by the said orders, the present writ petition has been filed.

3. The case of the petitioner in W.P No.20897 of 2025 is that the Government of Tamil Nadu vide G.O.3(D) No.25, Industries (MMA.2) Department dated 27.03.1998, granted a mining lease to the petitioner for



mining limestone over an extent of 3.57.0 Hectares from the Government Poromboke land bearing S.F No.14/3A(Part), 14(3B(Part), 15/1A(Part), 15(1B(Part) admeasuring 2.52.0 Hectares and the patta land bearing S.F Nos.18/3A, 183/B and 18/3C admeasuring 1.05.0 Hectares in Vayalapadi Village, Kunnam Taluk, Perambalur District, for a period of 20 years. While granting the lease, the Government imposed a condition that for surface rights over the Government poromboke land, the District Collector will fix and collect the compensation amount annually under Rule 72 of the Mineral Concession Rules, 1960. Aggrieved by this condition, the petitioner preferred a Revision Application before the Central Government under Section 30 of the M.M(D & R) Act, 1957 read with Rule 54 of the Mineral Concession Rules, 1960. Pursuant thereto, the 3rd respondent/District Collector, Permbalur, by proceedings dated 09.09.1998, fixed a sum of Rs.37,800/- per annum towards surface rights annual compensation and demanded the same every year in advance on or before 31st March. Since the amount is low, the petitioner has been paying the same till the year 2024-2025 under protest, though the petitioner is not liable to pay the same in the light of the order of the Central Government, dated 24.12.2002 in the Revision Application filed by him. During the period of lease, the Parliament amended the Mines and Minerals (Development and Regulation) Act, 1957 with effect from 12.01.2015, by Act 10 of 2025 inserted Rule 8A providing for deemed extension of lease period for the major minerals. Thereafter, by virtue of the amended provision of law, i.e



Sec.8A(3) of the Mines and Minerals (Development and Regulation) Act, 1957 (Amended Act 10 of 2015), the above said lease is deemed to be extended upto 16.09.2048 by operation of law. To that effect, the Government vide G.O (4D) No.2 Industries (MMA-1) Department, dated 31.01.2022 extended the lease up to 16.09.2048 as per Sec.8A (3) of the Mines and Minerals (Development and Regulation) Act, 1957. The 3rd respondent District Collector, Perambalur, without any notice, vide impugned order dated 25.11.2024 fixed and demanded the annual surface rights compensation of Rs.4,59,855/- for the year 2024-2025 based on the report given by the Assistant Director of Agriculture, Veppur dated 20.11.2024. Similarly, the 3rd respondent District Collector, Perambalur, without any notice, vide impugned order dated 25.04.2025 fixed and demanded the annual surface rights compensation of Rs.4,59,855/- for the year 2025-2026 based on the report given by the Assistant Director of Agriculture, Veppur dated 21.04.2025. Aggrieved by the said orders, the present writ petition has been filed.

3.However, the learned counsel appearing for the petitioner would submit that the issue involved in the present writ petitions has already been considered and decided by the Hon'ble Division Bench of this Court in W.A No.1228 of 2023 etc., batch cases, by judgment dated 10.09.2025. Accordingly, he prayed that these writ petitions may be allowed. .



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4. The learned Additional Government Pleader appearing for the respondents fairly submitted that the issue involved in the present writ petitions is already covered by the aforesaid judgment of the Hon'ble Division Bench of this Court.

5. The Hon'ble Division Bench of this Court, in W.A No.1228 of 2023, etc., batch cases, held as follows:

73. The above notice is incorrect for so many reasons:

(i) It seeks to raise a demand in respect of a period of close to 17 years. Even if there were no limitation provided for raising of a demand, it is necessary that some reasonable time frame be adhered to when a demand is raised. This is a settled position of law which has been given a go-by in the present cases.

(ii) The basis of the demand is guideline value of adjacent patta lands, which is contrary to the stipulation under Rules 72(2) and 72(3).



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(iii) The classification of the lands does not appear to have taken note of the requirements under Rule 72(2) and 72(3).

(iv) The demand comes under the head 'estimated amount from 01.04.1997 to 31.03.2014'. It baffles the Court as to how a statutory demand, which is what the notice purports to raise, can be raised on an estimated basis.

(v) No opportunity has been granted to the noticees calling for their response or for any particulars prior to the issuance of these demands.

6. In view of the above judgment and following the same, these two writ petitions are disposed of, and the impugned orders passed by the 3rd respondent/ District Collector, Perambalur dated 25.11.2024 and 25.04.2025 are set aside. No costs. Consequently, connected miscellaneous petitions are closed.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Secretary to Government,
Natural Resources Department,
Fort St.George,Chennai-600 009
2. The Director of Geology and Mining
Department Of Geology and Mining,
Guindy, Chennai-600 032
3. The District Collector
Perambalur District, Perambalur



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WP Nos. 20895 & 20897 of 2



M.DHANDAPANI, J.

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**WP Nos. 20895 & 28957 of 2025 and
WMP Nos.23614 & 23615 of 2025**

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