



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 24131 of 2026

K.Ponnusamy
S/o.Kandasamy Gounder, no.55/A, Thanneer
Pandhal Colony, Gandhi Road,
Anupparparlayam Post,
Tiruppur - 641652.

..Petitioner(s)

Vs

1. The District Collector
Erode District, Erode.
2. The Assistant Director,
Department of Geology and Mining,
Erode District.

..Respondent(s)

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent vide proceedings in Na.Ka.976/kanimam/2024 dated 08.06.2026, quash the same as illegal, arbitrary, and devoid of merits and consequently direct the respondents to execute a lease deed and permit the petitioner to carry on quarrying operation in the patta land comprised in S.F.No.93/1, measuring an extent of 2.38.0 Hectares in Marayipalayam Village, Sathyamangalam Taluk, Erode District, within a time frame fixed by this Court and issue transit pass periodically as per law.



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For Petitioner(s):

Mr.G.Vignesh

For Respondent(s):

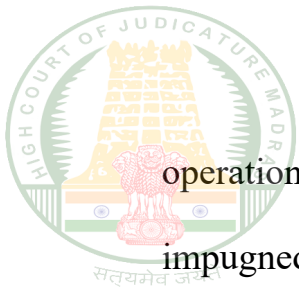
Mr.P.Elaya Rajkumar, Govt Advocate

Order

This Writ Petition has been filed challenging the impugned order dated 08.06.2026, whereby, the second respondent refused to grant quarrying lease to the petitioner on the premise that there has been objections by P.Natrajan, N.Rangasamy and the Block Development Officer that there is threat to law and order.

2. Learned counsel for petitioner would submit that petitioner is an absolute owner of patta land in SF.No.93/1, measuring an extent of 2.38.0 Hectares in Marayipalayam Village, Sathyamangalam Taluk, Erode District. Petitioner submitted an application in terms of Rule 19(1) of the Tamil Nadu Minor Mineral Concession Rules, 1959, and the same was considered and licence was granted. Thereafter, mining plan was also approved in terms of Rule 41 of the said Rules. Petitioner had also obtained Environmental Clearance Certificate on 22.07.2025.

3. The learned counsel would further submit that all that remains was execution of the lease deed permitting the petitioner to carry out the quarrying

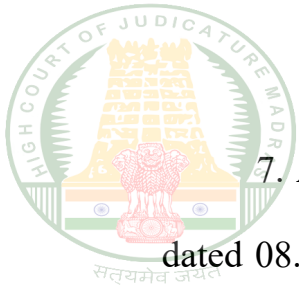


operations in terms of Rule 42 of the said Rules. However, at that stage, the impugned order has been passed only on the premise that there has been certain objections.

4. Learned counsel for petitioner would submit that objections were brought to the notice of the petitioner and petitioner submitted his explanation to the said objections. However, the impugned order does not deal with the objections. Impugned order is cryptic, bereft of reasons, non-speaking, thus stands vitiated.

5. The learned Government Counsel for the respondents on the other hand would submit that the impugned order had set out in detail the objections raised as well as the response by the petitioner and hence, no interference is warranted. However, when called to point out portion of the impugned order, wherein, the petitioner's response to the objections has been dealt with, was unable to show and instead would submit that fresh orders would be passed assigning cogent reasons.

6. In view thereof, this Court is inclined to remand the matter back to the second respondent for fresh consideration.



7. Accordingly, this Writ Petition is disposed of and the impugned order dated 08.06.2026 is set aside. The second respondent is directed to conduct an enquiry with the petitioner as well as the objectors in terms of Rule 20 of the said Rules and to render a finding as to whether the objections warrants refusal of lease and pass fresh orders within a period of six weeks from the date of uploading of web copy without waiting for receipt of certified copy of the order.

No costs.

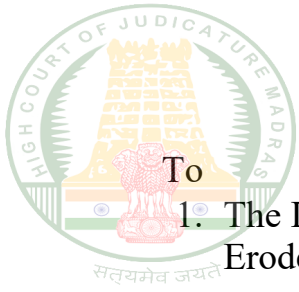
24-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSK



To

1. The District Collector
Erode District, Erode.

2. The Assistant Director
Department of Geology and mining,
Erode District.

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MOHAMMED SHAFFIQ J.

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