



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 25607 of 2022

AND WMP NO. 28016 & 24608 OF 2022

S.Naseera

w/o.Syed Ahamed, Jittobanapalli
Village, Thogarapalli Post, Bargur
Taluk, Krishnagiri District-635 203.

Petitioner(s)

Vs

1. The Government of TamilNadu
Rep. by its Secretary to Government,
Industries 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
Krishnagiri District, Krishnagiri.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records relating to the impugned Demand Notice of the 3rd respondent bearing Rc. No.1042/ 2018/ C-31/ Mines dated 19.02.2020 with reference to the granite quarry bearing S.F. No.438 (part) admeasuring 1.21.0 Hectares in Jegadevipalayam Village, formerly Krishnagiri Taluk, now Bargur Taluk Krishnagiri District, quash the same

For Petitioner(s): Mr.V.Sanjeevi

For Respondent(s): Mr.Stalin Abhimanyu, AGP



ORDER

This writ petition has been filed challenging the impugned demand notice dated 19.02.2020 issued by the 3rd respondent.

2. The learned counsel for the petitioner would submit that in this case, the 3rd respondent had issued the impugned demand notice for a sum of Rs.82,78,006/- towards the cost of mineral alleging that the petitioner had quarried and removed the granite blocks without environmental clearance.

3. Further, he would contend that no opportunity was provided to the petitioner prior to the issuance of the said demand notice, which is a clear violation of principles of natural justice. Hence, he requests this Court to pass appropriate orders.

4. In reply, the learned counsel appearing for the respondent had confirmed the above submissions and would request this Court to pass appropriate orders. Further, he would suggest this Court that the impugned demand notice may be treated as a show cause notice and the petitioner may be directed to file their reply, so as to enable the respondent to consider the same and dispose of the matter in accordance with law.



5. Heard the learned counsel for the petitioner and the learned counsel for the respondent and also perused the materials available on record.

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6. In the case on hand, the 3rd respondent had issued the impugned demand notice for a sum of Rs.82,78,006/- towards the cost of mineral alleging that the petitioner had quarried and removed the granite blocks without environmental clearance.

7. Further, it was submitted that no sufficient opportunities were provided to the petitioner prior to the issuance of said demand notice. In such case, there is no doubt that the impugned demand notice was issued in violation of principles of natural justice and hence, the same is liable to be set aside. Accordingly, this Court passes the following order:-

(i) The impugned demand notice dated 19.02.2020 is set aside and the matter is remanded to the respondent for fresh consideration

(ii) The petitioner is directed to consider the aforesaid demand notice dated 19.02.2020 as a show cause notice issued by the respondent and file their reply/objection along with the required documents, if any, within a period of four weeks from the date of receipt of copy of this order.

(iii) On filing of such reply/objection by the petitioner, the respondent shall consider the same and issue a 14 days clear notice, by fixing the date of personal hearing, to the



petitioner and thereafter, pass appropriate orders on merits and in accordance with law, after hearing the petitioner, within a period of 8 weeks from the date of filing of reply by the petitioner.

8. With the above directions, this writ petition is disposed of. No costs.

Consequently, the connected miscellaneous petitions are also closed.

24-03-2026

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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