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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 45488 of 2026
CNR:{HCMA012673132026}

Case QR

Selvaraj

..Petitioner(s)

Vs

1. The District collector
   Salem District
   Salem

2. The Sub Collector
   Revenue Divisional officer
   Mettur Revenue Division
   Mettur Dam-1
   Salem District

3. The Tahsildar
   Mettur Taluk
   Mettur Dam-1
   Salem District

4. The Deputy Director
   Department of Mines and Geology
   O/o.Salem District collectorate
   Salem-1,Salem District

5. The Inspector of police
   Mecheri Police station
   Mecheri-636 453
   Mettur Taluk
   Salem District

..Respondent(s)

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 to 4 to grant permission for transporting excess gravel/soil extracted from the petitioners lands in S.No.589/3 of Mallikundam village, Mettur Taluk, Salem District to S.No.17/7 of M.Kalipatti village, Mettur Taluk, Salem District and both lands are within 100 mtrs. for cultivation and other agriculture purpose only based on his application dated 14.7.2026.

For Petitioner(s): Mr.M.R.Jothimanian

For Respondent(s): Dr.R.Gowri
Special Government Pleader – R1 to R4

Mr.Durai Gunasekaran
Government Advocate (Crl.Side)

Order

This writ petition has been filed for the following relief:

"To issue a Writ of Mandamus directing the respondents 2 to 4 to grant permission for transporting excess gravel/soil extracted from the petitioners lands in S.No.589/3 of Mallikundam village, Mettur Taluk, Salem District to S.No.17/7 of M.Kalipatti village, Mettur Taluk, Salem District and both lands are within 100 mtrs. for cultivation and other agriculture purpose only based on his application dated 14.7.2026."

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2. The petitioner would submit that the lands are ancestral properties settled in his favour under a registered settlement deed and that both lands are situated within 100 metres of each other. He submits that he commenced levelling the land in S.No.389/3 on 20.12.2025. Pursuant to his application dated 31.12.2025, a joint inspection was conducted by the Revenue Inspector and the Village Administrative Officer, who recommended permission for levelling and transportation of excess Norambu gravel/soil by letter dated 03.01.2026. He was permitted to proceed with the work and had completed about 75% of the levelling, when he was stopped by the authorities.

3. The petitioner would further submit that, though the fourth respondent informed him that no permission was required for using the Norambu gravel/soil in his own lands in the same village, the 5th respondent Police threatened to initiate action against him for transportation. He had earlier approached this Court in W.P.No.20558 of 2026, which was disposed of on 27.05.2026, holding that no permission was required for levelling the land. The petitioner would contend that, under Rule 6(1) of the Tamil Nadu Minor Mineral Concession Rules,

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1959, transportation of excess gravel/soil between his patta lands for bona fide agricultural purposes does not require a permit. Despite his application dated 14.07.2026 and subsequent representations, the respondents have not permitted him to transport the excess soil for agricultural purposes. Hence, the present writ petition.

4. Heard the learned counsel on both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the respondents 2 to 4 to consider and pass appropriate orders on the petitioner's application dated 14.07.2026 on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

05-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
SRN

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