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W.P.No.46400 of .

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.02.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 46400 of 2025
&
W.M.P.No. 51750 of 2025

R.Padmanaban

...petitioner

Vs.

1.The District Collector,
Cuddalore District,
Cuddalore-607001.

2.The Revenue Divisional Officer,
Cuddalore-607001.

3.The Assistant Director of Mines,
Cuddalore Taluk,
Cuddalore District.

4.The Tahsildar,
Cuddalore Taluk,
Cuddalore-607001



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5.The Village Administrative Officer,
Thiruvendhipuram,
Cuddalore Taluk,
Cuddalore District

...Respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the respondents, their men, subordinates or any person claiming under them from in any manner carrying / permitting any mining activity in S.No.109, "Hamsastha Malai" in Thiruvahindrapuram village, Cuddalore Taluk, Cuddalore.

For petitioner : Mr. D.Baskar

For Respondents : Mr. Stalin Abhimanyu
Additional Government Pleader

ORDER

This writ petition is filed for the following relief:

*“To direct the respondents, their men, subordinates
or any person claiming under them from in any manner
carrying / permitting any mining activity in S.No.109,
"Hamsastha Malai" in Thiruvahindrapuram village,*



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Cuddalore Taluk, Cuddalore.”

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2. The petitioner would submit that he and his brothers are owners of lands situate at New S.No.108/2 Hec. 1.15.0 and New S.No.108/4 Hec. 2.88.0 in Thiruvahindrapuram Village, Cuddalore Taluk. There are more than 3000 cashew trees in the aforesaid properties and they are all aged about 60 years.

3. In the year 2009, respondents 1 and 3 issued a tender to mine sand, to bring down the lateral sand in the hill portion. Thereafter, the petitioner and his brothers filed O.S.79 of 2009, on the file of the Principal District Munsif, Cuddalore, against respondents 1 to 3 herein and 2 others who had been given the right to mine / excavate the hill. The suit was decreed in their favour and an appeal filed by private respondents in A.S.No.69 of 2010 was partly allowed. The Judgment and decree in the suit and appeal have become final.

4. The petitioner would submit that for the past 2 to 3 years, hillocks around village have been disappearing. The destruction /



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excavation is not being done legally or by following law. Thereafter, the petitioner made a complaint before respondents 1 and 2. However, all of a sudden demolition commenced on 04.11.2025. Thereafter, the petitioner sent a representation dated 05.11.2025 to respondents. The petitioner would submit that the official respondents are openly supporting such act. Therefore, the petitioner is before this Court.

5. The 1st respondent has filed a counter affidavit, wherein in paragraph Nos.11 and 12, they have stated as follows:

“11. Accordingly, a joint inspection was conducted by the Revenue and Geology & Mining Officials, during which it was reported by the concerned officials that no mining or excavation activity was being carried out during inspection in S.F.No.109/1 or in SF.Nos.108/2 and 108/4, which are patta lands belonging to the petitioner’s brother Thiru.Devanathan. The petitioner’s easementary right, as recognized by the competent Civil Court, remains unaffected.



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12.In the above said circumstances, this respondent respectfully undertakes before this Hon'ble Court that no illegal mining shall be permitted in the subject area and that periodical inspections will be conducted to prevent any kind of illegal mining in the locality.

6. Recording the above, this writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

06.02.2026

Index : Yes/No
Internet : Yes/No

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To

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