



WEB COPY

W.P(MD)No.6964 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.04.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6964 of 2026

V.Jayaseelan

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District.

2.The Assistant Director,
Department of Geology and Mining
Collectorate,
Kanyakumari District @ Nagercoil.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to grant permission to operate the quarry in S.F.No.433/2A1(P) and 433/2A2(P) of Villukuri Village, Kalkulam Taluk, Kanyakumari District, to an extent of 0.84.5 hectares for a period of 8 months (non-operative period) for which the petitioner was not permitted to quarry during the lease period accorded vide 1st respondent proceedings in R.C.No.400/G&M/2008 dated 22.01.2015 consequently, direct the 2nd respondent to issue transport permit to the petitioner for the said period within a reasonable time and grant such other further order as this Court.



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For Petitioner

:Mr.A.Banumathy

For Respondents

:Mr.M.Lingadurai,
Special Government Pleader

ORDER

The prayer in the writ petition is for a mandamus directing the respondents to grant permission to operate the quarry in SF No.433/2A1(P) and 433/2A2(P) of Villukuri Village, Kalkulam Taluk, Kanyakumari District, to an extent of 0.84.5 hectares for a period of eight months being the non-operative, for which the petitioner was not permitted to quarry during the lease, vide the first respondents proceedings dated 22.01.2015 and consequently direct the second respondent to issue re-transport permit to the petitioner.

2.I have heard the learned counsel for the petitioner and perused the material records of the case.

3.The grievance of the petitioner is that for about a period of eight months, the quarry remained inoperative on account of the orders that were passed by the respondents themselves. However, it can be seen that the period of lease have since expired. In view of the present Rule position in Rule 8(8) of the Tamil Nadu Mines and Mineral Concession Rules, 1959, the prayer made by the petitioner cannot be countenanced. Rule 8(8) is



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extracted here under for ready reference:

“8. Leasing of lands for quarrying minor minerals other than the minerals covered under rules 8-A and 8-C of these rules:-

(8) The period of lease for quarrying stone in respect of the virgin areas, which have not been subjected to quarrying so far, shall be ten years. The period of lease for quarrying stone in respect of other areas shall be five years. The period of lease for quarrying sand and other minor minerals, other than the minerals covered under rules 8-A and 8-C of the said Rules, shall not exceed three years and shall not be less than one year and shall be subject to the following conditions, namely:-

(i) The date of commencement of the period of lease granted under this rule shall be the date on which the lease deed is executed;

(ii) The lease shall expire on the date specified in the lease deed and in no case extension of the period of lease shall be made.

[Emphasis supplied]

4.As a matter of fact, this Court already relied upon the said Rule in ***W.P.No.4083 of 2025(M.Srinivasan V Government of Tamil Nadu, represented by Principal Secretary, Department of Natural Resources, Fort St.George, Chennai and others)***, when there is an express Rule prohibiting any extension on any ground, the respondents cannot be directed to consider the said prayer of the petitioner.



5.In view thereof, the prayer in the writ petition cannot be
countenanced and accordingly the same stands dismissed. No costs.

09.04.2026

NCC:Yes/No

Ns

To

- 1.The District Collector,
Kanyakumari District.
- 2.The Assistant Director,
Department of Geology and Mining
Collectorate,
Kanyakumari District @ Nagercoil.

D.BHARATHA CHAKRAVARTHY, J.



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