



WEB COPY

W.P(MD)No.8515 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.03.2026

CORAM

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

**W.P(MD)No.8515 of 2026
and
W.M.P(MD)No.6899 of 2026**

K.Chinniah

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Assistant Director,
Geology and Mining,
Sivagangai.

...Respondents

Writ Petitions are filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to issue transport permit to excavate and transport the approved quantity of gravel in Survey Numbers 110/1A1, 110/1A2, 110/1A3, 110/1B, 110/1C, 109/1A, 109/1B, 109/1C, 109/1D, 109/1E and 109/1F at Neododai Village, Devakottai Taluk, Sivagangai District except in accordance with law, within a time frame fixed by this Court.

For Petitioner
For Respondents

:Mr.M.Rajarajan
:Mr.M.Senthil Ayyanar
Government Advocate

**ORDER**

This writ petition is filed for a mandamus directing the respondents to issue transport permit to excavate and transport the approved quantity of gravel in survey numbers 110/1A1, 110/1A2, 110/1A3, 110/1B, 110/1C, 109/1A, 109/1B, 109/1C, 109/1D, 109/1E and 109/1F at Neododai Village, Devakottai Taluk, Sivagangai District.

2. According to the learned counsel for the petitioner, the petitioner has been granted a valid license to quarry gravel, the same is subsisting. The petitioner has paid the necessary lease amount as well as the fee in that regard. Therefore, merely because some objections were made, the respondents are not issuing transport permits and therefore, the petitioner is before this Court.

3. When the matter came up for admission, the learned counsel, placing on record the written instructions received by him, would submit that earlier when the violation was found, the petitioner was directed to remit a penalty amount of Rs.11,80,831/- and thereafter was allowed to resume the quarry. The petitioner has accordingly paid the same. Upon resumption of quarry, again there is an objection from the general public leading to the law and order situation.



4.Considering the fact that, currently the general election is also slated on 23.04.2026, it is stated that some time is required to overcome the law and order situation and thereafter to take a decision with reference to the passing of orders.

5.In reply thereof, the learned counsel for the petitioner would submit that there is only 40 days remaining and the petitioner has to remove another 29,945 metric tons from the site. The time of lease expires on 25.05.2026. The learned counsel would also rely upon the judgment in ***K.Vijaya and Others Vs. The District Collector, Vellore and another (W.P(MD)No.6953 of 2025).***

6.I have considered the rival submissions made on either side and perused the material records of the case.

7.When the petitioner has been duly granted license to quarry, either the same should be suspended for any violation or if there is no violation found, the transport permission should be granted even if people are protesting. The allegations made by the said people should be looked into and if only there is any violation as per law, the show cause notice can be given to the petitioner and the actions can be taken. There cannot be a



situation where on the one hand due license to quarry has been granted to the petitioner and fee is being collected and on the other hand, the transport permit not being issued. Therefore, it is for the respondent to take care of the law and order situation and merely on the ground of law and order situation, the grant of permits cannot be withheld. In view thereof, the first respondent shall pass appropriate orders in accordance with the law, within a period of three weeks from the date of receipt of the copy of the web order, without waiting for the certify copy of the order. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2026

NCC:Yes/No

Ns

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Assistant Director,
Geology and Mining,
Sivagangai.



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D.BHARATHA CHAKRAVARTHY, J.

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