

WEB COPY

WP No. 14584 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No. 14584 of 2026

Hindustan Stone Crusher,
Rep.by its Partner,
Mr.R.Selvaraj,
No.2/18, Karungal Pudur,
Pappinaicken Patti Post,
Namakkal-637 003.

..Petitioner(s)

Vs

1.The District Collector,
Collectorate Building,
Salem-636 001.

2.The District Environment Engineer,
Tamil Nadu Pollution Control Board,
S.F.No.46/3B-3, Tholavaipatti Village,
Salem-636 302.

3.The Assistant Director of Town and Country
Planning,
District Town and Country Planning Office,
Salem Steel Plant Main Road,
Thalavaipatti Village,
Salem-636 302.

4.The Tahsildar,
Valapady Taluk,
Salem District-636 115.

5.The Block Development Officer,
Ayothiyapattinam Panchayat Union,
Valapady Taluk,
Salem-636 103.



6.Vijay Ananth

7.Deepa

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..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the respondents 1 to 5 not to accord any permission or approval to the respondents 6 and 7 or any other person for any development activity, including crusher unit to be erected in S.Nos.125/2B, 125/3, 125/1, 127/1, 127/2, 122/1B, 122/4, 121/2F, 121/6B, 121/6A, 121/2B and 121/2E within 300 meters from the petitioner's quarry in S.No.35/3 of Eripudhur Village, Valapady Taluk, Salem District, by considering the petitioner's representations dated 05.12.2025 and 12.01.2026.

For Petitioner(s): Mr.S,Senthil

For Respondent(s): Mr.Stalin Abimanyu
Additional Government Pleader
for R1 to R5

ORDER

This Writ Petition has been filed to direct the respondents 1 to 5 not to accord any permission or approval to the respondents 6 and 7 or any other person for any development activity including crusher unit to be erected in S.Nos.125/2B, 125/3, 125/1, 127/1, 127/2, 122/1B, 122/4, 121/2F, 121/6B, 121/6A, 121/2B and 121/2E within 300 meters from the petitioner's quarry in

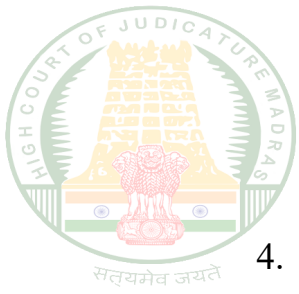


S.No.35/3 of Eripudhur Village, Valapady Taluk, Salem District, by considering the petitioner's representations dated 05.12.2025 and 12.01.2026.

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2. The petitioner is a partnership Firm and the Firm participated in e-auction floated by the Department of Geology and Mining for grant of quarry lease for rough stone in a Government Poramboke land in S.F.No.35/3 (Part), situated at Eripudhur Village, Valapady Taluk, Salem District. The petitioner came to know that on 04.11.2025, the respondents 6 and 7 jointly purchased the land comprised in Survey Nos.125/2B, 125/3, 125/1, 127/1, 127/2, 122/1B, 122/4, 121/2F, 121/6B, 121/6A, 121/2B, 121/2E and other lands in other survey numbers vide Sale Deed dated 04.11.2025 registered as Document No.6295/2025 on the file of the Sub-Registrar, Ayothiyapatti, which lies within 300 meters of the petitioner's leasehold area. Hence, the petitioner has sent a representation dated 05.12.2025 to the respondents 1 to 5 requesting them not to accord any approval or permission for such activities in the lands situated within 500 meters from the petitioner's quarry in S.No.35/3(Part). Since the same was not acted upon, the petitioner has filed this writ petition.

3. The learned counsel appearing for the petitioner reiterated the averments made in the affidavit filed in support of this writ petition.



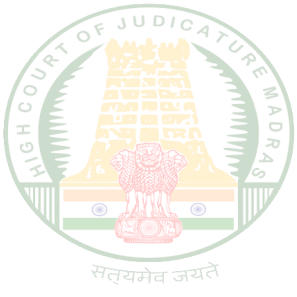
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4. The learned Additional Government Pleader appearing for the respondents has produced a written instructions from the Assistant Director of Department of Geology and Mining, Salem District and the relevant portion is extracted hereunder:

“ v. In this regard, it is submitted that Rule 36(1-A)(c) of the Tamil Nadu Minor Mineral Concession Rules, 1959, stipulated that no new layout, building plans falling within 300m from any quarry should be given approval by any agency unless prior clearance of the Director of Geology and Mining is obtained.

vi. Rule 36(1-A)(c) of the Tamil Nadu Minor Mineral Concession Rules, 1959, mentioned about layout and building plans only not the establishment of stone crusher unit. No provision has been mentioned under the said Rule with regard to establishing stone crusher unit within the prohibited distance of 300m from the quarry.

vii. Further, explanation given under the said Rule read as “(iii) inhabited site shall mean a village site or town site or a house site as referred to in the revenue records or a house site or layout approved by a local body or town or country or metropolitan planning authority, where the said body or authority is created under a statute and empowered to approve such an area as a house site or layout area”. According to the explanation of the said Rule, layout shall mean inhabited site only. Crushing Unit is the industrial unit not comes under the inhabited site.



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viii. *However, grant of approval for the establishment of stone crusher unit comes under the purview of the Tamil Nadu Pollution Control Board.”*

5. This Court finds some force in the contentions raised by the learned Additional Government Pleader and since the site objected to by the petitioner is not a layout but only a building plan for the establishment of Stone Crusher Unit and since it does not come under inhabited site which means village site or town site or house site as referred to in the revenue records, the prayer sought for by the petitioner cannot be granted.

6. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

21.04.2026

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



To

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Salem-636 001.

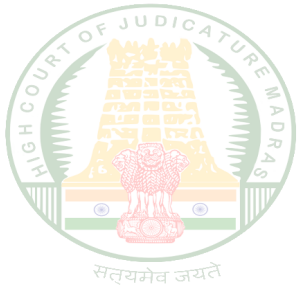
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M.DHANDAPANI J.

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