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WP No. 46033 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 46033 of 2025

and

W.M.P.Nos.51347 & 51348 of 2025

1. M.Senthilraj
S/o.Mr.Muthusamy, 2/80, Sekkarapatti,
Marapparai Post Office,
Thiruchengode Circle,
Namakkal District.

Petitioner(s)

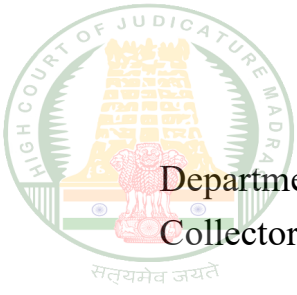
Vs

1. The District Collector
Namakkal District, Namakkal.

2.The Director
Department of Geology and Mining,
Guindy, Chennai- 600 032.

3.The Director
The Directorate of Town And Country
Planning, E And C Market Road,
Koyambedu, Chennai- 600 107.

4.The Assistant Director



Department Of Geology And Mining
Collectorate, Namakkal.

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5.The Executive Engineer
Tamil Nadu Electricity Board,
Thiruchengode Taluk, Namakkal
District.

6.The Block Development Officer
Elachipalayam, Chinnamanali Village,
Namakkal -637 202.

7.The President
Chinnamanali Panchayat,
Chinnamanali Village- 637 216.

8.Mrs.Sellammal,
W/o.Kandasamy, 3/28, Ottangadu,
Chinnamanali Village, Thiruchengode
Taluk, Namakkal District.

Respondent(s)

For Petitioner(s): Mr.P.S.Prabu

For Respondent: Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(For R1 & R3)

Mr.S.Kalaiselvan
Standing Counsel
(For R5)

Mr.L.S.M.Hasan Fizal



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Additional Government Pleader
For Mr.E.Vijay Anand
Additional Government Pleader
(For R2 & R4)

Mr.Karthikeyan (For R6 & R7)

ORDER

Heard Mr.P.S.Prabhu, learned counsel for the petitioner.

2. Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader, takes notice for respondents 1 and 3. He also accepts notice on behalf of Mr.E.Vijay Anand, learned Additional Government Pleader for respondents 2 and 4. Mr.S.Kalaiselvan, learned Standing Counsel, takes notice for 5th respondent. Mr.Karthikeyan, learned counsel, takes notice for respondents 6 and 7.

3. Notice to the 8th respondent through Court as well as privately returnable by 04.12.2025.

4. The grievance of the petitioner is that the 8th respondent, in



contravention of Rule 19 read with Annexure XVII (3)(b) of the Tamil Nadu

Combined Development and Building Rules, 2019 is establishing a residential

unit within 500 metres of his existing crusher.

5. Mr.Prabhu points out that the crusher belonging to the petitioner has a valid consent to operate and establish. By the proceedings dated 17.04.2025, the consent has been extended till 31, March 2029, as is evident from the proceedings enclosed in the typed set of papers.

6. Mr.Prabhu, refers to the order passed by this Court in ***R.Muthusamy Vs. The District Collector, Namakkal District, Namakkal & 3 others, in W.P.No.2522 of 2009 dated 06.08.2009***, whereunder the father of the petitioner had sought for a similar relief against the 8th respondent herein and it came to be ordered by this Court in favour of the petitioner, holding that the 5th respondent therein/ 8th respondent herein, is not entitled to put up a construction within the prohibited distance of 300 metres from the stone quarry.



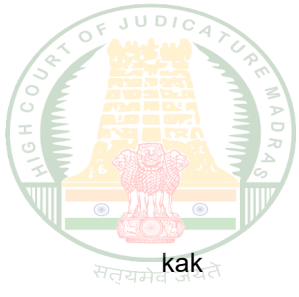
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7. Mr.Prabhu pleads that the same position prevails, even now, with respect to the crusher unit. He adds that the Block Development Officer had originally approved the scheme, enabling the 8th respondent to put up a construction under the @fiy"u; fdt[,y;yk;@ Scheme. On coming to know of the bar under Annexure XVII, the proceedings came to be cancelled. Despite the same, the 8th respondent is continuing with the construction. The petitioner fears that, in case, a residential unit is put up, it will affect the running of the crushing unit and the renewal thereafter.

8. Mr.Kalaiselvan says that as on today, the premises has not been benefitted with electricity connection. The statement is recorded.

9. Mr.Prabhu shall complete the service on the 8th respondent by 04.12.2025.

10. Post the matter on 04.12.2025.

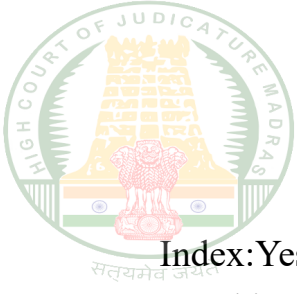


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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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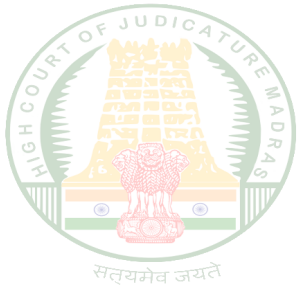
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Chinnamanali Village- 637 216.

8.SELLAMMAL

W/o.Kandasamy, 3/28, Ottangadu,
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V.LAKSHMINARAYANAN, J.

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