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Rev.Aplw (MD) Nos.37 of 2025, etc, bai



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

REV.APLW (MD) Nos.37, 89, 90, 93 and 94 of 2025,
W.M.P.(MD) Nos.5427, 13980, 14008, 14093 and 14107 of 2025

AND

W.M.P.(MD) Nos.13818 and 14022 of 2025 in
W.P.(MD) Nos.7754 and 7753 of 2013

Rev.Aplw (MD) No.37 of 2025

1.Southern Enterprises,
1/580, 7th Street,
Veerabathra Nagar,
Mambakkam Main Road,
Medavakkam, Chennai - 600 100,
a partnership firm Rep. by its Partner
D.Dhaya Devadas

... Petitioners

-VS-

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Industries Department, Fort St. George,
Chennai - 600 009.
2. The Additional Secretary to Government,
Industries Department, Fort St. George,
Chennai - 600 009.
3. A.Karunakaran,
The Additional Secretary to Government,
Industries Department, Fort St. George,
Chennai - 600 009.
4. The District Collector,
Trichy, Tiruchirapalli District.



5. The Commissioner of Geology and Mining,
Guindy, Chennai - 600 032.

6. The Coastal Environmental and Ecological
Conservation Committee, Keeraikarantattu,
Thisaiyanvilai - 627 657,
Tirunelveli District, Through its President,
R.Appu Natesan.

7. The Member Secretary,
Tamil Nadu Pollution Control Board (TNPCB),
Panagal Maaligai, 76, Mount Salai,
Guindy, Chennai - 600 032.

8. Principal Secretary,
Government of Tamil Nadu,
Ministry of Environment and Forests,
Fort St.George, Chennai -600 009.

9. Mr.N.S.Palaniappan, I.A.S.,
Secretary to Government,
Public Works Department,
Secretariat, Chennai - 600 009.

10. Mr.Sundaradevan, I.A.S.,

11. Mr.Atual Anand
The Commissioner of Geology and Mining,
Guindy, Chennai - 600 032.

12. Mr.G.Prakash, I.A.S.,
Director,
Municipal Administration and Water Supply Department,
Secretariat, Chennai - 600 009.

13. Tmt.Jeyashree Muralidharan, I.A.S.,
District Collector,
No.1, Race Course Road,
Mannarpuram, Trichy -625 020.

14. Mrs.T.Jayasheela,
Personal Assistant to the Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam Buildings, 5th Floor, Esplanade,
Chennai - 600 018.

15. Mr.M.Govindaraj,



Assistant Director of Geology and Mining,
Collectorate, Madurai Road,
Theni District - 625 531.

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16. Mr.R.Appu Natesan,
President,
The Coastal Environment and Ecological
Conversation Committee,
Keeraikaranthattu,
Thisaiyanvilai - 627 657,
Tirunelveli District.

17. Mr.S.Vaikundarajan

18. The Authorized Officer,
Indian Bank, Guindy Branch,
Chennai - 600 032.

19. The Authorized Officer,
Tamil Nadu Mercantile Bank,
No.45, Pulla Avenue, Shenoy Nagar,
Chennai - 600 030.

... Respondents

Prayer: To review the order dated 17.02.2025 in W.P.(MD) No.2111 of 2013.

Review Applications

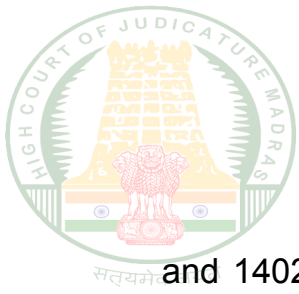
For Applicants : Mr.V.Selvaraj
For Mr.T.Arul
For R1,2,4,5 & 8 : Mr.U.Baranidharan
Spl. Govt. Pleader (in all)

W.M.P.(MD) Nos.13818 and 14022 of 2025

For Petitioners : Mr.V.Selvaraj
For Mrs.V.S.Mani Mekalai
For R1,2,4,5 & 7 : Mr.U.Baranidharan
Spl. Govt. Pleader (in all)

COMMON ORDER

(Order of the Court was made by S.M.Subramaniam J.)



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The present Review Petitions as well as W.M.P.(MD) Nos.13818 and 14022 of 2025 have been instituted by the writ petitioners to review and recall the judgment dated 17.02.2025. The entire gamut of arguments advanced by learned counsel for the petitioners Mr.C.Selvaraj is that facts applicable to the present cases have not been considered by this Court, while passing orders sought to be reviewed. The facts in the judgment delivered on the same date on 17.02.2025 in Suo Motu Public Interest Litigation (PIL) in W.P.No.1592 of 2015 is distinguishable and would not apply to the present case. Mr.C.Selvaraj, learned counsel relied on the facts in the judgment in Suo Motu PIL in W.P.No.1592 of 2015, referred above and would submit that those facts relate to beach sand mining and not apply to the present case, since in the present case, it is a river sand mining in Tiruchirappalli District and therefore, findings in Paragraph No.22 of the order dated 17.02.2025 sought to be reviewed is an error apparent. He would further submit that in the context of the facts dealt with in Suo Motu PIL in W.P.No.1592 of 2015, the judgment was delivered independently, after ascertaining illegalities and irregularities based on the reports submitted by Amicus Curiae in the said case. None of those reports would speak about the facts of the present case and therefore, findings made in Paragraph No.22 that allegations are common in respect of all the lessees are incorrect. He would rely on the written submissions filed on behalf of the writ petitioners, while hearing the batch of writ petitions along with Suo Motu PIL in W.P.No.1592 of 2015.



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2. The governing principles to entertain a Review Application are well settled and therefore, re-adjudication of facts or merits are impermissible. The scope of review, if expanded, would result in re-appreciation of facts and therefore, various grounds raised by the applicants on merits in the present Review Petitions, which may be raised in appeal need not be considered by this Court for entertaining the present Review Applications.

3. It is not in dispute that the Suo Motu PIL in W.P.No.1592 of 2015 was decided as a lead case in a batch of writ petitions, relating to illegal mining. Therefore, legal position dealt with in the Suo Motu PIL in W.P.No. 1592 of 2015 regarding illegal mining was taken into consideration for the purpose of deciding all other connected writ petitions, wherein actions were initiated against Lessees on the allegations of illegal mining activities. In that context, this Court made a finding in Paragraph No.22 that allegations of illegal mining, transportation, stocking, exports and major violations are common in respect of all the lessees, who are all private respondents in Suo Motu PIL in W.P.No.1592 of 2015.

4. To substantiate the above findings made by this Court in Paragraph No.22 of the judgment sought to be reviewed, it would be relevant that the petitioners, who were lessees also committed violations, which are all recorded in Paragraph No.12 of the judgment sought to be reviewed. Based on the report of the Inspection Team, the Government directed the District



Collector, Tiruchirappalli to issue notice under Section 21(5) of the Mines and Minerals (Development and Regulation) Act, 1957 (in short the 'MMDR Act') and accordingly, action was initiated against the petitioners. The Government initiated action and passed orders invoking Sub-Rule (4) of Rule 27 of Mineral Concession Rules, 1960 (in short the 'MCR Rules'). Even in the order sought to be reviewed, violations reported by the District Collector, Tiruchirappalli and Commissioner of Geology and Mining are considered by this Court and accordingly, writ petitions were dismissed. Therefore, finding made in Paragraph No.22 is to be read for the purpose of considering legal principles as well as the law applicable. The argument that facts in the present case were not considered by this Court is unacceptable. The facts as well as violations noticed by the Inspection Team were considered by this Court and thereafter, by applying legal position as well as provisions of Law, writ petitions were dismissed.

5. Pertinently, against the judgment delivered in Suo Motu PIL in W.P.No.1592 of 2015, a batch of Special Leave Petitions have been instituted in Special Leave Petition (Civil) Diary Nos.49035 of 2025, 15184 of 2025 and 10939-10942 of 2025 and the Hon'ble Supreme Court of India granted Status Quo to be maintained by the parties in respect of directions contained in the said judgment. When the Apex Court has seized of the matter, it would be inappropriate for this Court to entertain Review Petitions for re-appreciation of facts or re-adjudication of issues, which have already been considered.



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In view of the above factum, this Court is not inclined to entertain the present Review Applications and Miscellaneous Petitions to recall or review the judgment dated 17.02.2025. Consequently, Review Applications in REV.APLW (MD) Nos.37, 89, 90, 93 and 94 of 2025 and Miscellaneous Petitions in W.M.P.(MD) Nos.13818 and 14022 of 2025 are dismissed. No costs. Connected Miscellaneous Petitions are closed.

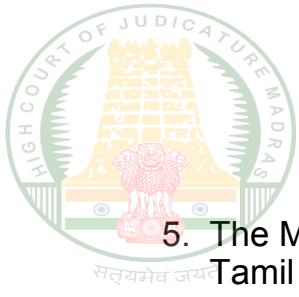
(S.M.S.,J.) (M.J.R.,J.)
29.04.2026

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

Note: Registry is directed to type cause title for all cases

To:

1. The Principal Secretary to Government,
State of Tamil Nadu, Industries Department,
Fort St. George, Chennai - 600 009.
2. The Additional Secretary to Government,
Industries Department, Fort St. George,
Chennai - 600 009.
3. The District Collector,
Trichy, Tiruchirapalli District.
4. The Commissioner of Geology and Mining,
Guindy, Chennai - 600 032.

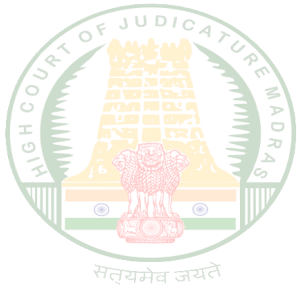


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