

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21439 of 2025

and

W.M.P.(MD).Nos.16559 and 16561 of 2025

S.Kalipulla

... Petitioner

vs.

- 1.The Principal Secretary,
Mines and Minerals Department,
State of Tamil Nadu,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Director,
Department of Geology and Mining,
Alandur Road, Guindy,
Industrial Estate,
Chennai 600 032.
3. The District Collector,
Office of the District Collector,
Pudukottai District.
4. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
5. The Assistant Director,
Department of Geology and Mining,
Collectorate,
Pudukottai District.



6. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Sipcot Industrial Complex,
Thriuvengaivasal, Pudukkottai District 622 002.

7. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

8. The Special Revenue Inspector (Mines),
Department of Geology and Mining,
Collectorate,
Pudukkottai District.

9. The Tahsildar,
Office of the Tahsildar,
Kulathur Taluk,
Pudukkottai District.

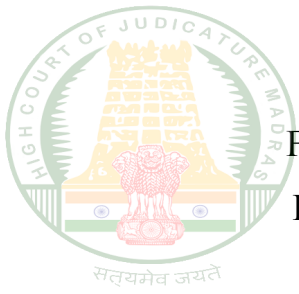
10. The Village Administrative Officer,
Office of the Village Administrative Officer,
Kannagudi Village,
Pudukkottai District.

11. Balaji,

12. Manjunath

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents No.1 to 10 to take appropriate action against the respondents No.11 and 12 to restrain them from carrying out the mining operation in Survey No. 19/5C, 19/5D in Keezhaiyur Village, Kulathur Taluk, Pudukkottai District on the basis of the petitioners representation dated 21.06.2025 in accordance with law within the time stipulated by this Court.



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For Petitioner

: Mr.Dr.R.Alugumani

For R1 to R3 and
R5 to R10

: Mr.M.Lingadurai
Special Government Pleader

For R4

: M/s.M.Aasha
Government Advocate (crl. side)

For R11 and R12

: Mr.M.Rajarajan

ORDER

The Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents Nos.1 to 10 to take appropriate action against the respondent Nos.11 and 12 to restrain them from carrying out the mining operation in Survey No. 19/5C, 19/5D in Keezhaiyur Village, Kulathur Taluk, Pudukkottai District on the basis of the petitioner's representation dated 21.06.2025 in accordance with law within the time stipulated by this Court.

2. The writ petitioner has filed writ petitions repeatedly regarding the same issue. This is the third writ petition filed by the same petitioner. The petitioner had earlier filed W.P.(MD) No.6003 of 2025, which was disposed of by this Court vide order dated 24.03.2025.

3. Thereafter, the petitioner again filed W.P.(MD) No.15132 of 2025. In that petition, this Court recorded that the petitioner had mentioned the wrong survey number hence, the said writ petition was dismissed. However, while



entertaining that writ petition, this Court was inclined to impose costs on the petitioner. But, for various reasons, refrained from doing so.

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4. Now, the petitioner is approaching this Court again seeking the same relief. The only difference is that the earlier petition pertained to Kannagudi village, whereas the present one relates to Keelaiyoor village.

5. Admittedly, the 11th and 12th respondents had purchased a portion of the land from the petitioner's family. There is a dispute between the petitioner and his brother and a civil suit is pending in O.S.No.100 of 2023. The petitioner now claims that Survey Nos.19/5C and 5D in Keelaiyoor Village belong to him and alleges that respondents 11 and 12 are carrying out illegal mining operations in those survey numbers.

6. However, the learned counsel appearing for the 11th and 12th respondents submitted that they had purchased properties in Survey Nos.99/16C, 99/17, 99/18C, 99/19C, 99/20C, and 99/21C in Kannagudi village and obtained quarry permission only in the above-mentioned survey numbers and never obtained permission for Survey Nos.19/5C and 5D in Keelaiyoor village.

7. It appears to be a mere apprehension on the part of the petitioner that respondents 11 and 12 are carrying out quarrying operations in petitioner's land



situated in Survey Nos.19/5C and 5D in Keelaiyoor village. A writ petition cannot be entertained merely based on such apprehensions.

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8. Further the petitioner had stated in his affidavit that the petitioner's uncle Abdul Rahman had sold the property situated in S.No.99/17 in Kannagudi Village to one Chinnaiyan @ Chinnarasu and in turn the said Chinnaiyan @ Chinnarasu sold the property to the petitioner. But the petitioner's uncle had sold the property without the consent of other legal heirs. If it is so then the appropriate remedy is to file civil suit and not by way of filing petitions. Rightly the petitioner had filed O.S.No.100 of 2023 but there is no interim injunction. In such circumstances, the petitioner cannot interfere in the possession of land with respondents 11 and 12.

9. The conduct of the writ petitioner is evident that he is attempting to somehow stop the quarrying operations being carried out by the 11th and 12th respondents by one reason or the other. Based on the petitioner's complaints sent to various authorities including the Hon'ble Chief Minister's Cell the respondents are being compelled to take action and stop the quarry operations of the 11th and 12th respondents. The petitioner's repeated frivolous complaints are interfering with the license granted by the official respondents. Therefore, this Court is inclined to impose costs on the petitioner.



10. Accordingly, this writ petition stand is dismissed with costs. The petitioner is directed to pay cost of Rupees 50,000 /- to the credit of **Women Advocates Association, Madurai Bench of Madras High Court (Account No: 6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai)** for the purpose of maintaining Creche, within a period of one week from the date of receipt of a copy of the order.

11. With the above observations, this Writ Petition stands dismissed with costs. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

06.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

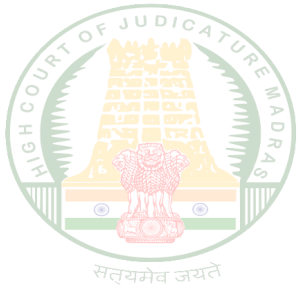
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To:

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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.21439 of 2025**

DATED :06.08.2025