

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)**

ORIGINAL APPLICATION NO. 304 OF 2024 (SZ)

IN THE MATTER OF:

Irai Thamarai. M.

...Applicant(s)

With

Union of India,

Rep. by its Secretary of Government,

MOEF & CC, New Delhi and Ors.

...Respondent(s)

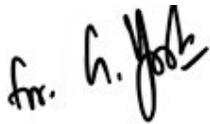
COUNTER AFFIDAVIT FILED BY THE 14TH RESPONDENT

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Dated at Chennai on this the 10th day of January, 2026.



M/s. E.K.KUMARESAN

G. VIGNESH

COUNSEL FOR 10TH -14TH RESPONDENT

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.304 of 2024 (SZ)

IN THE MATTER OF:

Mrs. Irai Thamarai.M
W/o.V.Mathiazhagan,
77/88A Uppu Palayam,
Kuppam (PO), Pugalur Taluk,
Karur - 639 111

... Applicant

- Vs. -

1. Union of India,
Rep. by Its Secretary of Government
Ministry of Environment, Forest and Climate Change,
Indira paryavaran Bhavan,
Jorbagh Road, New Delhi-110 003.
Email: secvmoef@nic.in
2. The State Environment Impact Assessment,
Authority (SEIAA),
Rep.by its member Secretary,
3rd floor, No.1 Panangal Maligai Building,
Jennis Road, Saidapet,
Chennai - 600 015.
Email: sciaamstn@gmail.com
3. Director,
Directorate of Geology and Mining,
Industrial Estate, Guindy,
Chennai - 600 032
Email: geomine@tn.nic.in
4. The District Collector,
Karur District, Karur - 639 007
Email: cllrkar@nic.in
5. The Assistant Director,
Department of Geology and Mining,
Collectors Office, Karur - 639007

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

6. Tamil Nadu Pollution Control Board,
District Environment Engineer,
48, Ramkrishnapuram, Karur - 639 001.
7. District Superintendent of Police,
Collector Office Campus,
Behind RTO Office Road,
Thanthoni, Karur - 639 007
8. The District Revenue Officer,
District Revenue Office,
Sh-874, First Floor Collector Office,
Karur 639 007
9. The Tashildar,
Tashildar Officer,
Pugalur,
Karur District - 639 113.
10. Mrs. Manjula,
W/o. P.K.Ponnusamy,
8/87D, Pasupathipalayam,
Punnam Village, Pugalur Taluk,
Karur 639 136.
11. Mr. S.Gunasekaran,
S/o.R.Subramani,
Punnam Village, Punnam Post,
Nadupalayam, Pugalur Taluk,
Karur 639 136.
12. Mr. Thangaraj,
S/o.R.Subramani,
Door No.2/31,
Punnam Village Punnam Post,
Nadupalayam, Pugalur Taluk,
Karur 639 136.
13. Mr. P.K.Ponnusamy,
8/87 D, Pasupathipalayam,
Punnam Village Punnam Post,
Nadupalayam, Pugalur Taluk,
Karur 639 136.

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

14. M/s. Karpaga Vinayaga Blue Metal,
 Managing Partner Mr. P.K. Ponnusamy,
 Having its registered address at,
 972/8, 972/9 Sadaampalayam,
 Punnam PO,
 Pugalur Taluk,
 Karur - 639 136.

... Respondent(s)

COUNTER AFFIDAVIT FILED BY THE 14TH RESPONDENT

I, P.K. Ponnusamy, Managing Partner, aged about 51 years, having registered address at 972/8, 972/9, Sadaampalayam, Punnam village (P.O) Pugalur Taluk of Karur District am the Managing Partner of Tvl. Karpaga Vinayaga Blue Metals, the 14th Respondent herein. The 10th, 11th & 12th respondents are partners in the company and I'm competent to swear the affidavit on behalf of them as a Managing Partner in the company. I am well acquainted with the facts and circumstances of the case I have carefully gone through the affidavit of the applicant and I hereby firmly deny all the averments put forth therein as fabricated and erroneous, except those that are specifically and expressly admitted hereunder. I do hereby solemnly affirm and sincerely state as follows:

1. At the outset of this reply affidavit, I respectfully submit that the Applicant has initiated multiple legal proceedings concurrently. Specifically, the Applicant has approached the Hon'ble District Munsif Court, Karur, in O.S. No. 324 of 2024 and the Hon'ble Madurai Bench of Madras High Court in W.P.(MD) No. 27348 of 2024, at the same time as filing the present O.A. No. 304 of 2024 before the Hon'ble National Green Tribunal (Southern Zone). In these aforementioned cases, the Applicant has raised disputes concerning certain lands that are part of the stone quarry lease granted to Tvl. Karpaga vinayaga Blue Metals, namely the 14th Respondent and has sought relief related to these matters.

For Karpaga Vinayaga Blue Mettal,

 Managing Partner.

2.It is submitted that the applicant has filed this complaint alleging illegal quarrying and mining operations by Respondents 10 to 14 on plots in Survey Nos. 1092/1A, 1092/1B, 1092/2A1, 1093/1A, 1093/1B, 1093/2A1 of Thennilai (East) Village, Pugalur Taluk, Karur,. The Applicant further alleges that Respondents 10 to 13, purportedly operating under the partnership name of Respondent 14, **failed to disclose the Applicant's partial ownership of the land in their mining lease application, thereby misrepresenting the ownership structure to the authorities and securing a mining lease from the government through deception.**

3.In this regard, the following facts are pertinent:

- i. A Gravel and Roughstone quarry lease was initially granted to one Thiru. R. Subramani by the District Collector, Karur, vide Proceedings Rc. No. T/51/2004, dated 20.05.2004. This lease covered an area of 1.48.5 hectares in S.F. Nos. 1092/1B, 1093/1B and 1094/1B, located in Punnam Village of the erstwhile Aravakurichi Taluk, Karur District, for a period of five years from 01.06.2004 to 31.05.2009.
- ii. Subsequently, the District Collector, Karur, through Proceedings No. B/357/2009, dated 30.10.2010, granted another quarry lease for Gravel and Roughstone to the same individual, Thiru. R. Subramani. This lease was for an extent of 0.43.5 hectares in S.F. No. 1094/1B(Part) and 1094/2A(Part) of Punnam village (erstwhile Aravakurichi and presently Punnam Taluk, Karur District), for a five-year period from 18.02.2010 to 17.02.2015.
- iii. As per proceedings No. 363/Kanimam/2012, dated 30.12.2013, a lease was granted to Thiru. K. M. Gurusamy for quarrying and removing rough stone and gravel. This lease covered S.F. Nos. 1092/2A2, 1092/2B, 1093/2A2, 1093/2B, 1094/2A2 and 1094/2B, totaling an extent of 1.78.5 hectares in the erstwhile Aravakurichi and present Pugalur Taluk of Karur District, for a period of five years from 30.12.2013 to 29.12.2018.

For Karpaga Vinayaga Blue Mettal,

 Managing Partner.

- iv. The District Collector, Karur, vide Proceedings No. Rc. 1445/Kanimam/2014, dated 18.02.2016, granted a gravel and roughstone quarry lease to Thiru. R. Subramani. This lease consisted of an area of 3.20.5 hectares in S.F. No. 1093/1A(Part), 1093/B(Part), 1093/2A1(Part), 1094/1A, 1094/1B and 1094/2A1 of Punnam village, Pugalur Taluk, Karur District, for a five-year term from 26.02.2016 to 25.02.2021.
- v. Finally, a quarry lease for Gravel and Roughstone was granted to the 14th Respondent by the District Collector, vide Proceedings Rc. No. 1144/Kanimam/2017, dated 04.05.2018. This lease covered an extent of 1.63.5 hectares in S.F. No. 1092/1A(P), 1092/1B(P), 1092/2A1(P), 1093/1A(P), 1093/1B(P) and 1093/2A1(P) of Punnam Village, Pugalur Taluk, Karur District, for a period of five years from 04.05.2018 to 03.05.2023.
- vi. The Commissioner of Geology and Mining, through proceedings Rc. No. 855/MM6/2023, dated 07.02.2023, extended the lease period for the 14th Respondent by 15 months, from 04.05.2023 to 03.08.2024. This extension was granted to compensate for the non-operation period experienced during the Covid-19 pandemic.
- vii. Tvl. Karpaga vinayaga Blue Metals (14th Respondent), was levied a penalty of Rs. 71,99,674/- (Rupees Seventy One Lakhs Ninety Nine Thousand Six Hundred and Seventy Four Only) for alleged illegal quarrying of rough stone in S.F. Nos. 1092/1A (0.14.5 hecets), 1092/1B (0.11.0 hecets), 1092/2A1 (0.04.5 hecets), 1093/1A (0.65.0 hecets), 1093/1B (0.40.5 hecets) and 1093/2A1 (0.28.0 hect) vide proceedings of the Revenue Divisional Officer, Karur, in R.C. No. A1/2387/2023-6, dated 08.06.2023. Aggrieved by this order, Karpagavinayaga Blue Metals (14th Respondent) filed a writ petition, W.P.(MD) No. 31315 of 2023, before

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

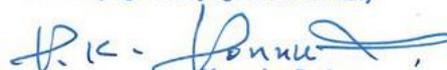
the Hon'ble Madurai Bench of Madras High Court. The Hon'ble High Court issued the following orders:

- i. In Paragraph 5, "This court direct the first respondent to dispose of the appeals preferred by the petitioners on or before 18.01.2024".
- ii. In Paragraph 6, "There shall be an order of interim stay till the disposal of the appeals".
- iii. In Paragraph 7, "There shall be a direction to the respondents 1 and 3 to issue quarry permit to the petitioners based on the existing quarry lease agreements, dated 20.04.2023 till the disposal of the appeal".

Subsequently, an interim injunction was obtained in W.M.P.(MD) No. 12796 of 2024.

- viii. A new application was submitted by the 14th Respondent on 01.07.2024 for the grant of a Roughstone and Gravel quarry lease over an extensive area of 6.30.0 hectares, encompassing various parts of S.F. Nos. 1094/1B(0.03.0 hect), 1092/2B(0.13.5 hect), 1094/2A2(0.27.5 hect), 1093/1B(0.18.5 hect), 1094/1B(0.58.0 hect), 1092/2A(0.40.0 hect), 1093/2A2(0.22.5 hect), 1094/2B(0.72.5 hect), 1093/2A(0.11.0 hect), 1092/1A(0.14.5 hect), 1093/1A2(0.65.0 hect), 1092/2A2(0.11.0 hect), 1093/2B(0.31.5 hect), 1093/1A(0.31.5 hect), 1094/1A(1.48.5 hect), 1092/1B(0.11.0 hect) and 1093/1B(0.40.5 hect) of Punnam village, Pugalur Taluk, Karur District. This application has been processed in accordance with Rules 19(1), 20, 41 and 42 of The Tamil Nadu Minor Mineral Concession Rules 1959. A "Precise Area" communication has been issued under Rule 41(4) of the said rules, with the condition that the previously levied penalty amount must be remitted before commencing quarrying operations in the specified area. The Applicant

For Karpaga Vinayaga Blue Mettal,

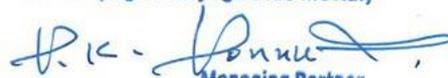

Managing Partner.

has submitted unregistered documents purporting to show remittance of this penalty amount.

- ix. Regarding the complaint petition filed by the Applicant dated 14.10.2024, the matter has been entrusted to the Taluk Level Task Force for investigation and appropriate action, vide Rc. No. 668/Kanimam/2024.
- x. The 14th Respondent has also provided a letter confirming the purchase of S.F. Nos. 1092/2, 1093/2 and 1094/2, totalling 4.38 acres, through documents dated 12.01.2023 and 01.02.2024 from Thiru. K.M. Gurusamy. These survey numbers were originally owned by Nallasamy, S/o. Karuppannagounder and Papayee W/o. Kulandaisamy. The initial purchaser was Tmt. P. Manjula, who subsequently re-sold the land to Thiru. K.M. Gurusamy. The 14th Respondent (Tvl. Karpagavinayaga Blue Metals) is the most recent purchaser of these lands.
- xi. The Applicant claims to be the daughter of Tmt. Papayee and is disputing the 14th Respondent's purchase of the land and the associated quarrying application. **The applicant not produced any Title deeds or Revenue records to prove their title and in support of their claim.**
- xii. An Injunction Suit in O.S. No. 324 of 2024, filed by the 14th Respondent against the Applicant, Tmt. Irai Thamarai, is currently pending before the Hon'ble District Munsif Court, Karur, awaiting disposal.

MALAFIDES IN THE APPLICANT'S APPLICATION:

4. The Applicant has failed to provide any proof or evidence to substantiate her claimed rights over 7.235 cents of land, which is part of the total extent of 1.63.5 hectares in patta S.F. Nos. 1092/A2, 1092/2B, 1093/2A2, 1093/2A, 1094/2A2, 1094/2B, 1092/2, 1093/2, 1094/2, 1092/1, 1093/2, and 1094/2 of Punnam Village, Pugalur Taluk, Karur District.

For Karpaga Vinayaga Blue Metall,

 Managing Partner.

5. The Applicant's ownership rights must first be established before the Civil Court in O.S. No. 324/2024, currently pending before the District Munsiff, Karur.

6. In addition to the Original Suit, the Applicant has filed a writ petition before the Hon'ble Madurai Bench of Madras High Court, seeking to restrain the Commissioner of Geology and Mining and the Tahsildar, Pugalur, from issuing any Roughstone quarry license without her consent. The specific survey numbers mentioned in this writ petition are 1094/1B (0.03.0 hect), 1094/2A (0.40.5 hect) 1092/2A2 (0.11.0 hect) S.F.Nos. 1092/2B (0.13.5 hect), 1093/2A2 (0.22.5 hect), 1093/2B (0.31.5 hect), 1094/2A2 (0.27.5 hect), 10942B (0.72.5 hect), 1093/1A (0.31.5 hect), 1093/1B (0.18.5 hect), 1093/2A1 (0.11.0 hect), 1094/1A (1.48.5 hect), 1094/1B (0.58.0 hect) 1092/1A (0.14.50 hect), 1092/1B (0.11.0 hect), 1092/2S (0.04.5 hect), 1093/1A (0.65.00 hect), 1093/1B (0.40.50 hect) and 1093/2A1 (0.28.00 hect) of Punnam Village, Pugalur Taluk in Karur District.

7. The Hon'ble High Court of Madras, Madurai Bench, in its order dated 18.11.2024, directed the authorities to consider the objections raised by the petitioner in light of the report to be submitted by the Tahsildar, Pugalur Taluk, Karur District. Consequently, the 5th Respondent issued an enquiry notice to both the petitioner and the 14th Respondent on 28.02.2025, in compliance with the said court order.

8. Regarding the quarry lease application of Tvl. Karpagavinayaga Blue Metals, the competent authority, namely the Revenue Divisional Officer, Karur, has provided a land availability report for the applied lands. These lands include S.F. Nos. 1092/1A (0.18.5 hecets), 1092/1B (0.17.50 hecets), 1092/2A1 (0.10.75 hecets), 1092/2A2 (0.05.5 hecets), 1093/1A (0.75.25 hecets), 1093/1A (0.92.00 hecets), 1093/1B (0.57.00 hecets), 1093/2A1 (0.40.50 hect), 1093/2A2 (0.22.50 hect), 1093/2B (0.31.50 hect), 1094/1A (1.40.50 hect), 1094/1B (0.58.50 hect), 1094/2A (0.53.0 hecets), 1094/2A2 (0.23.0 hecets) and 1094/2B (0.52.00 hect), totaling 6.30.0 hectares in Punnam Village, Pugalur Taluk of Karur District. This report from

For Karpaga Vinayaga Blue Metall,

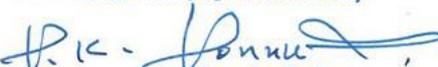
 Managing Partner.

the Revenue Divisional Officer is based on field verifications, scrutiny of Revenue records and statements and reports from the Tahsildar, Revenue Inspector and Village Administrative Officer of Punnam Village. The Applicant, Tmt. Irai Thamarai, failed to engage with the Revenue authorities while carrying out appropriate enquiries in the village and has, as an afterthought, filed the writ petition and original application in the appropriate forums at her own convenience.

9. As detailed in paragraphs 3(i) to 3 (xii) of this reply affidavit, various extents in patta survey numbers, including 1092/1A, etc., of Punnam village, **have been subject to mineral concessions granted to Tvl. R. Subramani, K.M. Gurusamy and Karpagavinayaga Blue Metals (the 14th Respondent) for distinct five-year periods, spanning from 2004-2009, 2010-2015, 2013-2018, 2018-2023, with an extended period concluding on 03.08.2024.**

- i. Tvl. Karpagavinayaga Blue Metals possesses the environmental clearance granted by the District Level Environment Impact Assessment Authority (DEIAA/DIA/TN/MIN/13778/2018-KRR/EcNo.99/2018/Mines, dated 23.04.2018). In accordance with the Notification issued by the Ministry of Environment, Forest and Climate Change, the validity of environmental clearances has been extended.
- ii. The quantity of rough stone permitted for quarrying under the lease extension orders of the Commissioner of Geology and Mining was 1,17,231 cubic meters. The actual quantity produced and dispatched by the 14th Respondent (Tvl. Karpagavinayaga Blue Metals) was 78,979 cubic meters. The reduction in production progress is attributed to the impact of the Covid-19 pandemic.
- iii. The Hon'ble Madurai Bench of Madras High Court, in its order dated 22.12.2021 in W.P.(MD) No. 22770 of 2021, directed a verification of existing, lease-expired and abandoned quarries in Karur District. Pursuant to this order, the 4th Respondent in this original application

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

constituted a district-level team under the District Revenue Officer, Karur, including the Assistant Director (Survey and Land Records), Karur, Divisional Environmental Engineer, Tamil Nadu Pollution Control Board, Karur, respective Revenue Divisional Officers, Taluk Tahsildar and Inspector of Police, vide proceedings No. A2/2975/2022, dated 24.02.2022. This team conducted phased inspections of all quarries in Karur District. The 14th Respondent's quarry was inspected in the first phase and the team submitted a report after verifying adherence to mine safety conditions, quarrying methods, depth of the quarry pit, maintenance of boundary barrier zones, fencing of the lease area, erection of name boards and all other relevant factors. Based on this special team's report, the Revenue Divisional Officer, Karur, vide Proceedings No. A1/2387/2023, dated 08.06.2023, imposed a penalty on the 14th Respondent. In response, the 14th Respondent filed a First Appeal before the District Collector, Karur, against the Revenue Divisional Officer's order (Proceedings Na.Ka.A1/2387/2023-6 dated 08.06.2023). Furthermore, the 14th Respondent approached the Hon'ble Madurai Bench of Madras High Court in W.P.(MD) No. 31315/2023 and the Hon'ble Madurai Bench of Madras High Court issued an order in W.P.(MD) Nos. 31314 & 31315/2023 and W.M.P.(MD) Nos. 26848, 26852, 26856 & 26858/2023, dated 28.12.2023, which stated:

Paragraph 5: "This court direct the first respondent to dispose of the appeals preferred by the petitioners on or before 18.01.2024."

Paragraph 6: "There shall be an order of interim stay till the disposal of the appeals."

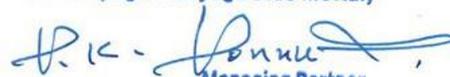
Paragraph 7: "There shall be a direction to the respondents 1 and 3 to issue quarry permit to the petitioners based on the existing quarry lease agreements, dated 20.04.2023 till the disposal of the appeal."

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

- iv. Pursuant to the orders of the Hon'ble High Court of Madras, Madurai Bench, the District Collector, Karur, was directed to dispose of the appeal petitions by 18.01.2024. The District Collector upheld the Revenue Divisional Officer, Karur's proceedings, finding that the offender/14th Respondent had not carried out quarrying operations as per the mining plan and had violated lease deed conditions and Environmental Clearance conditions, as per Rule 36-A (1), (3) and (5) of the Tamil Nadu Minor Mineral Concession Rules 1959. The District Collector has since filed a Counter Affidavit on 05.04.2024, which is pending before the Hon'ble Madurai Bench of Madras High Court. Additionally, the 14th Respondent has preferred a Second Appeal before the Commissioner of Geology and Mining, Chennai, against the order passed by the 4th Respondent/District Collector, Karur, vide proceeding Rc. No. 407/Mines/2023, dated 18.01.2024.
- v. The extension of the lease period for 15 months was ordered through the proceedings of the Commissioner of Geology and Mining in Rc. No. 855/MM6/2023, dated 07.02.2023. Reaffirming this order, the Deputy Director, Geology and Mining, issued proceedings in R.C. No. 79/Mines/2023, dated 31.03.2023, imposing the following conditions:
- i. The extended lease period is 15 months from the original expiry date of the quarry lease (i.e., from 04.05.2023 to 03.08.2024, with the original period being 04.05.2018 to 03.05.2023).
 - ii. A supplementary lease agreement for the extended period must be executed and registered at the lessee's expense.
 - iii. The extended lease period of 15 months will conclude on 03.08.2024 or upon the completion of 1,17,231 cubic meters of unquarried rough stone, whichever comes first.

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

iv. All terms and conditions of the original lease, the approved mining plan and the environmental clearance must be strictly adhered to, along with all applicable Acts and Rules.

Therefore, the Applicant's claim that the 14th Respondent fraudulently extended the lease for an additional year is not sustainable under law.

vi. The Applicant's complaints regarding the 14th Respondent's alleged non-adherence to safety aspects are unfounded. During the lease extension period, a special team organized by the District Collector verified and inspected the lease area. Based on their recommendation, for reported breaches of conditions and violations, the Revenue Divisional Officer, Karur, imposed a penalty of Rs. 71,99,674/- (Rupees Seventy One Lakhs Ninety Nine Thousand Six Hundred and Seventy Four Only). As per Section 23-A of the Mines and Minerals (Development and Regulation) Act 1957, the offenses committed by the 14th Respondent were compounded. Therefore, the averments made by the appeal petitioner concerning safety aspects not followed by the 14th Respondent are legally null and void. Moreover, the subject area for which another term of quarry lease has been applied is currently under process and has been idle since 04.08.2024.

vii. It is respectfully submitted that the Applicant has mechanically levelled various allegations against the 14th Respondent. The allegations concerning Respondents 10 to 13 are not maintainable in this present application without any valid title records. Consequently, the prayers for immediate investigation, enforcement of regulatory compliances, restraining operations and mitigation measures against the 14th Respondent do not arise at this juncture. All these factors will only become relevant after the grant of a new lease, subject to all statutory requirements and compliance with relevant Acts and Rules.

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

REPLY TO GROUNDS:

Grounds 'A' & 'B': These grounds are rendered infructuous as the quarry lease application is currently under active processing.

Grounds 'C' & 'D': All alleged breaches of conditions and violations were identified by a special team, constituted under proceedings No. A2/2975/2022, dated 24.02.2022. These matters were subsequently compounded through penalty proceedings initiated by the 8th Respondent, vide Proceedings No. A1/2387/2023, dated 08.06.2023.

Grounds 'E', 'F' & 'G': The Applicant's assertion regarding the 14th Respondent's continued quarry operation beyond the extended lease expiry is a malicious and vexatious claim, for which she has provided no substantial proof or evidence. The document registered by the 14th Respondent in 2023 is pertaining to the supplementary lease deed executed by the 4th Respondent for the period from 04.08.2023 to 03.08.2024. Moreover, no natural features as described in the citation case were disturbed by the quarrying activities. This is because adequate prior restrictions and monitoring are envisaged.

Grounds 'H' & 'I': The prevalence of clearances on Air and Water will be required while commencing quarrying operations after fulfilling all the statutory requirements and terms and conditions of the quarry lease.

In no way are the protection of life and personal liberty under Article 21, and equality before law under Article 14 of the Constitution, disturbed. The quoting of Article 51 of the Constitution of India is an irrelevant one.

10. It is respectfully submitted that the interim reliefs sought by the Applicant are not applicable for the following reasons:

- i. The directions requested in sub-paragraphs 'a' to 'c' are infructuous, since all the relevant actions were completed by the special team

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

organised in the proceedings of the 4th Respondent in Rc. No. A2/2975/2022, dated 24.02.2022.

- ii. The Respondents 10 to 13 are not the parties to the quarry lease granted to the 14th Respondent. The compliance with the Environment (Protection) Act, 1986, and Air (Prevention and Control of Pollution) Act, 1981, are to be verified by the 2nd Respondent to this original application.

Therefore, for the reasons stated in the above counter affidavit it is respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss this present original application and impose cost on the applicant or pass any such further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

For Karpaga Vinayaga Blue Mettal,


Managing Partner.

Solemnly affirmed at Chennai

BEFORE ME

On the 10th day of January, 2026

And signed his name in my presence

ADVOCATE, CHENNAI


No. 2/492, Muggappur
West, Ch-34

PROCEEDINGS OF THE DISTRICT COLLECTOR, KARUR.

PRESENT: THIRU P. ANNAMALAI, I.A.S.,

R.D. 51/2004

Dated: 20.05.2004.

Sub: Mines and Quarries - Minor Minerals - Karur District
- Aravakurichi Taluk- Punnam Village - Over an
extent of 1.48.5 hecta., of patta lands in
S.F.Nos.1092/1B, 1093/1B and 1094/1B - Quarry
lease to quarry aralai, jelly and sholing - Application
preferred by Thiru R. Subramani, Punnam - Orders
Issued - Regarding.

- Ref: 1. Application of Thiru R. Subramani, dt: Nil.
2. Report of the Assistant Director (Geology and Mining)
Karur dt:
3. Report of the Special Revenue Inspector (Mines)
Karur, dt: 12.05.2004.
4. Other connected records.

ORDER:

Thiru R. Subramani, S/o. Ranasamy, Nadupalayam, Punnam Post, Aravakurichi Taluk, Karur District has applied for the grant of quarry lease to quarry aralai, jelly and sholing over an extent of 1.48.5 hecta., of patta lands in S.F.Nos.1092/1B (0.33.0 hecta.), 1093/1B (0.57.0 hecta.) and 1094/1B (0.58.5 hecta.) of Punnam Village of Aravakurichi Taluk for a period of five years.

2) The Assistant Director (Geology and Mining) Karur in his report 2nd cited has stated that,

1. the area applied for quarry lease was inspected on 12.05.2004 along with the Special Revenue Inspector (Mines) Karur.
2. the fields applied for quarry lease are flat terrain. The rock type available in this area is charnockite variety. The rock is available as ground level deposit. The rock Charnockite is dark grey coloured, medium grained and trending towards North 60° West to South 60° East with vertical dipping.

3. the rock type charnockite is suitable for the extraction of aralai, jelly and sholing and may not suitable for the extraction of export worthy gangue size blocks.
4. there are no permanent structures in and around the area applied for quarry lease. There is no habitation within the radius of 300 metres from the area applied for quarry lease.
5. a cart track is running on the southern side of the area applied for quarry lease. The other three sides are abutted by patta lands.
6. an old pit is noticed in S.F.No.1094/1B, applied for quarry lease. Enquiry reveals that the pit was made more than 20 years back and the applicant has not made any quarrying operation after the land was purchased by him.

Finally, the Assistant Director has stated that the quarry lease application preferred by Thiru R. Subramani, S/o. Ramasamy, Nadupalayam, Punnam Post, Aravakurichi Taluk, Karur District for the grant of quarry lease to quarry aralai, jelly and sholing over an extent of 1.48.5 hecta., of patta lands in S.F.Nos.1092/1B (0.33.0 hecta.), 1093/1B (0.57.0 hecta.) and 1094/1B (0.58.5 hecta.) of Punnam Village of Aravakurichi Taluk may be considered for the grant of quarry lease for a period of five years as per Rule 19 (1) of Tamil Nadu Minor Mineral Concession Rules, 1959 with usual terms and conditions and also subject to the following special condition that,

(1) the applicant should leave a safety distance of 10 metres for the cart track running on the southern side of the area applied for quarry lease.

3) The Special Revenue Inspector (Mines) Karur in his report 3rd cited has stated that the area applied for quarry lease i.e., S.F.Nos.1092/1B (0.33.0 hecta.), 1093/1B (0.57.0 hecta.) and 1094/1B (0.58.5 hecta.) of Punnam Village of Aravakurichi Taluk are stand registered in the names of Thiru R. Subramani, the applicant. Hence, the applicant has got surface rights over the area applied for quarry lease. There is an old pit situated in S.F.No.1094/1B. On enquiry, it reveals that the pit was made 20 years back and the applicant has not made any quarrying operation after the land was purchased by him. A cart track is running on the southern side of the area applied for quarry lease. The other three sides are surrounded by patta lands. There are no buildings, monuments, places of worship, electric lines, telephone lines situated in and around the area applied for quarry lease. There is no habitation within the radius of 300 metres from the area

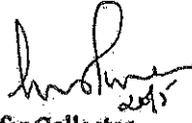
applied for quarry lease. The Village Administrative Officer in his statement has stated that the public of the village have not raised any objection for the grant of quarry lease.

The areas applied for quarry lease are not required for Government purposes.

Finally, the Revenue Inspector (Mines) has recommended for the grant of quarry lease in favour of the applicant.

4) In view of the above, the quarry lease to quarry arulai, jelly and sholing over an extent of 1.48.5 hecst., of patta lands in S.F.Nos.1092/1B (0.33.0 hecst.), 1093/1B (0.57.0 hecst.) and 1094/1B (0.58.5 hecst.) of Punnam Village of Aravakurichi Taluk is granted in favour of Thiru R. Subramani, S/o. Ramasamy, Nadupalayam, Punnam Post, Aravakurichi Taluk, Karur District, for a period of five years as per Rule 19(1) of Tamil Nadu Minor Mineral Concession Rules, 1959 with usual terms and conditions and also subject to the following special condition that,

(1) the applicant should leave a safety distance of 10 metres for the cart track running on the southern side of the area applied for quarry lease.


for Collector,
Karur.

To
Thiru R. Subramani,
S/o. Ramasamy,
Nadupalayam,
Punnam Post,
Aravakurichi Taluk,
Karur District

Copy to the Revenue Divisional officer, Karur.

Copy to the Tahsildar Aravakurichi.

Copy to the Village Administrative Officer, Punnam, Aravakurichi Taluk.

Copy to the Villi

PROCEEDINGS OF THE DISTRICT COLLECTOR, KARUR
PRESENT: Dr. (Tmt) J. UMA MAHESWARI, I.A.S.,

Re.B.357/G&M/2009

Dated: 30.01.2010

- Sub Mines and Quarries - Karur District -
Aravakurichi Taluk - Punnam Village- Over an
extent of 0.43.5 Hects. of patta lands in
S.F.Nos.1094/1B(P) and 1094/2A(P) - Quarry
lease to quarry aralal, jelly and sholing -
Application preferred by Thiru.R.Subramani, -
Lease granted - orders issued - Regarding.
- Ref 1) Quarry lease application of
Thiru.R.Subramani, dt Nil. Received on
11.12.2009.
2) Report of the Special Revenue Inspector
(Mines) Karur dt: 04.01.2010.
3) Report of the Assistant Director (Geology and
Mining) Karur, dt: 04.01.2010.
4) Other connected records.

ORDER:

Thiru.R.Subramani, S/o.Ramasamy, Nadupalayam, Punnam Post,
Karur District has applied for the grant of quarry lease to quarry aralal, jelly
and sholing over an extent of 0.43.5 Hects., of patta land in
S.F.Nos.1094/1B(P) (0.30.0 hecets) and 1094/2A(P) (0.40.5 hecets) of Punnam
Village, Aravakurichi Taluk, Karur District for a period of five years in the
reference 1st cited.

2) The Special Revenue Inspector (Mines) Karur in his report 2nd cited
has stated that the area applied for grant of quarry lease in
S.F.Nos.1094/1B(P) over an extent of 0.30.0 hecets of patta lands stands
registered in the name of Applicant Thiru.R.Subramani, S/o.Ramasamy vide
patta No.2483 and the S.F.No.1094/2A(P) over an extent of 0.80.5 hecets
stands registered in the name of Tmt.Manjula, W/o.Ponnusamy vide patta
No.6654 of Punnam Village, Aravakurichi Taluk, Karur District. The applicant
has got the consent from the pattadars vide affidavit sworn before the Notary

Public Dated:14.11.2009. As such the applicant has got surface rights over the area applied for grant of quarry lease. The area applied for quarry lease is surrounded by patta lands in all four sides. There are no building, monuments, places of worship, electric lines, and telephone lines situated in and around the area applied for quarry lease. There is no habitation within the radius of 300 meters from the area applied for quarry lease. The Village Administrative Officer in his statement has stated that the public of the village have not raised any objection for the grant of quarry lease. The area applied for quarry lease are not required for Government purposes. Finally, the Special Revenue Inspector (Mines) has recommended for the grant of quarry lease in favour of the applicant for a period of 5 years.

3) The Assistant Director (Geology and Mining) Karur in his report 3rd cited has reported that the area applied for grant of quarry lease in S.F.Nos.1094/1B(P) over an extent of 0.03.0 heccts of patta lands stands registered in the name of Applicant Thiru.R.Subramani, S/o.Ramasamy vide patta No.2483 and the S.F.No.1094/2A(P) over an extent of 0.40.5 heccts stands registered in the name of Tmt.Manjula, W/o.Ponnusamy vide patta No.6654 of Punnam Village, Aravakurichi Taluk, Karur District. The applicant has got the consent from the pattadars vide affidavit sworn before the Notary Public Dated:14.11.2009. As such the applicant has got surface rights over the area applied for grant of quarry lease. The area applied for quarry lease was already granted under lease to the applicant, vide District Collector, Karur Proceedings Rc.D.51/2004, Dated: 20.05.2004, for a period of five years from the date of execution of lease deed. The lease deed was executed on 01.06.2004. The lease period was 01.06.2004 to 31.05.2009.

The fields applied for quarry lease are flat terrain. The rock type available in this area is charnockite variety. The rock is available as ground level deposit. The rock Charnockite is dark grey coloured, medium grained and trending towards North 60° West to South 60° East with vertical dipping.

The rock type charnockite is suitable for the extraction of aralai, jelly and sholing and may not suitable for the extraction of export worthy ganza size blocks.

There are no permanent structures and habitation within the radius of 300 meters from the area applied for quarry lease. The area is selected leaving a safety distance of 300 meters from the existing power lines on the west and south western side of the lease applied area. The applicant should not encroach the adjacent area.

The area applied for quarry lease surrounded by patta lands in all four sides.

Finally, the Assistant Director (Geology and Mining) Karur has recommended for the grant of quarry lease in the above S.F.Nos. for a period of 5 years from the date of execution of lease deed under Rule 19(1) & 22 of Tamil Nadu Minor Mineral Concession Rules, 1959 subject to the following special condition in addition to the usual terms and conditions prescribed in the Acts and Rules.

- 3) The applicant has to maintain a safety distance of 7.5 meters to the adjacent patta lands.
- 4) The applicant should abide by the conditions laid down in the a) Payment of wages act, 1936 (Central Act IV of 1963), b) The mines act 1952 (Central Act XXXV of 1952), c) Indian Explosives Act 1884 (Central Act IV, 1884), d) Tamil Nadu Minor Mineral Concession Rule 1959, and comply with pollution control measures (ie., dust control measures) besides complying with the other conditions in regard to pollution control measures.

5) In view of the above, the quarry lease to quarry Roughstone viz. Aralal & Jelly over an extent of 0.43.5 hecsts., of patta land in S.F.Nos.1094/1B(P) (0.30.0 hecsts) and 1094/2A(P) (0.40.5 hecsts) of Punnam Village, Aravakurichi Taluk, Karur District is granted in favour of Thiru.R.Subramani, S/o.Ramasamy, Nadupalayam, Punnam Post, Karur District for a period of 5 years from the date of the execution of lease deed as per Rule 19(1) & 22 of Tamil Nadu Minor Mineral Concession Rules, 1959 with usual terms and conditions and also subject to the following special conditions that,

- 3) The applicant has to maintain a safety distance of 7.5 meters to the adjacent patta lands.
- 4) The applicant should abide by the conditions laid down in the a) Payment of wages act, 1936 (Central Act IV of 1963), b) The mines act 1952 (Central Act XXXV of 1952), c) Indian Explosives Act 1884 (Central Act IV, 1884), d) Tamil Nadu Minor Mineral Concession Rule 1959, and comply with pollution control measures (ie., dust control measures) besides complying with the other conditions in regard to pollution control measures.

S/d. J.Uma Maheswari
DISTRICT COLLECTOR
KARUR.

/ True Copy /By Order/

For Collector,
Karur

To,
Thiru.R.Subramani,
S/o.Ramasamy, Nadupalayam,
Punnam Post,
Karur District.

Copy to :
The Sub Collector, Karur.
The Tahsildar, Aravakurichi Taluk.
The Village Administrative Officer, Punnam Village.
The Village President, Punnam Village.



Dr. S. KALYANASUNDARAM ,I.F.S.(Retd.)
CHAIRMAN

STATE LEVEL ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY – TAMIL NADU

3rd Floor, Panagal Maaligai,
No.1 Jeenis Road, Saidapet,
Chennai-15.

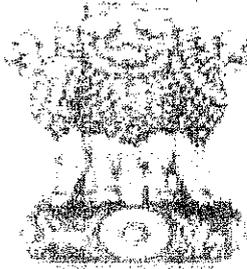
Phone No.044-24359974

Fax No. 044-24359975

ENVIRONMENTAL CLEARANCE

Lr. No.SEIAA-TN/F.No.3760/EC/1(a)/2810/2015 dated: 08.02.2016

To
Thiru R. Subramani
Nadupalayam
Punnam Post
Aravakurichi Taluk,
Karur - 639 002



Sir,

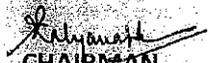
Sub: SEIAA-TN – Proposed **Rough Stone** quarry located at S.F.No 1093/1A(P), 1B(P), 2A1(P), 1094/1A, 1B, 2A1, Punnam Village, Aravakurichi Taluk, Karur District- issue of Environmental Clearance – Reg.

Ref: 1. Your Application for Environmental Clearance dt: 25.08.2015
2. Minutes of the 72nd SEAC held on 04.02.2016, 05.02.2016 & 06.02.2016
3. Minutes of the SEIAA meeting held on 08.02.2016

Details of Minor Mineral Activity:-

This has reference to your application first cited. The proposal is for obtaining environmental clearance for mining/quarrying of minor minerals based on the particulars furnished in your application as shown below.

1	Name of Project Proponent and address	Thiru R. Subramani Nadupalayam Punnam Post Aravakurichi Taluk, Karur - 639 002
2	Location of the Proposed Activity	
	Survey Number	1093/1A(P), 1B(P), 2A1(P), 1094/1A, 1B, 2A1
	Latitude and Longitude	10°59'15"N to 10°59'22"N 77°59'03"E to 77°59'11"E


CHAIRMAN
SEIAA-TN



	Village	Punnam
	Taluk	Aravakurichi
	District	Karur
3	Proposed Activity	
	i. Minor mineral	Rough Stone
	ii. Mining Lease Area	3.20.5 Ha
	iii. Approved quantity	449850 cu.m of Rough stone & 16528 cu.m of Topsoil
	iv. Depth of Mining	42 m
	v. Type of mining	Opencast Semi Mechnaised Method
	vi. Category(B1/B2)	B2
	vii. Precise area communication	Rc.No.1445/Mines/2014 Dated:16.06.2015
	viii. Mining plan approval	Assistant Director Rc.No.1445/Mines/2014 Dated:02.07.2015
	ix. Mining lease period	5 Years
4	Whether Project area attracts any General conditions specified in the EIA notification, 2006 as amended:-	Not attracted. Affidavit furnished
5	Man Power requirement per day:	11 Employees
6	Utilities	
	i. Source of Water :	Water vendors/Existing bore hole
	ii. Quantity of Water Requirement in KLD:	
	a. Domestic	0.3KLD
	b. Industrial	} 0.7KLD
	c. Green Belt & Dust Suppression	
	iii. Power Requirement:	
	a. Domestic Purpose	TNEB
	b. Industrial Purpose	362648 Litres of HSD
7	Cost	
	i. Project Cost	Rs.54.61 Lakhs
	ii. EMP Cost	Rs.4.80 Lakhs
8	Public Consultation:-	Not required as per O.M. dated 24.12.2013 of MoEF, Gol.
9	Date of Appraisal by SEAC:- Agenda No:	04.02.2016,05.02.2016 & 06.02.2016 72-43
10	Date of Review/Discussion by SEIAA and the Remarks:-	
	The proposal was placed before the SEIAA in its 162 nd Meeting held on 08.02.2016 and the Authority after careful consideration, decided to grant environmental clearance to the said project Mining of Rough Stone to terms and conditions stipulated under the provisions of Environment Impact Assessment Notification, 2006 as amended.	
11	Validity: The Environmental Clearance will be coterminous with the mine lease period or limited to a maximum period of 5 Years from the date of issue whichever is earlier.	

Kalyanesh
CHAIRMAN
SEIAA-TN

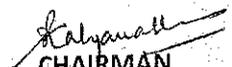
Conditions to be Complied before commencing mining operations:-

1. The project proponent shall advertise in at least two local newspapers widely circulated in the region, one of which shall be in the vernacular language informing the public that
 - I. The project has been accorded Environmental Clearance.
 - II. Copies of clearance letters are available with the Tamil Nadu Pollution Control Board.
 - III. Environmental Clearance may also be seen on the website of the SEIAA.
 - IV. The advertisement should be made within 7 days from the date of receipt of the clearance letter and a copy of the same shall be forwarded to the SEIAA.
2. The applicant has to obtain land use classification as industrial use before issue/renewal of mining lease.
3. NOC from the Standing committee of the NBWL shall be obtained, if protected areas are located within 10 Km from the proposed project site.
4. The project proponent shall comply the conditions laid down in the Section V, Rule 36 of Tamil Nadu Minor Minerals Concession Rules 1959.
5. A copy of the Environment Clearance letter shall be sent by the proponent to the concerned Panchayat, Town Panchayat / Panchayat union/ Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the proponent and also kept at the site, for the general public to see.
6. Quarry lease area should be demarcated on the ground with wire fencing to show the boundary of the lease area on all sides with red flags on every pillar shall be erected before commencement of quarrying.
7. The proponent shall ensure that First Aid Box is available at site.
8. The excavation activity shall not alter the natural drainage pattern of the area.
9. The excavated pit shall be restored by the project proponent for useful purposes.
10. The proponent shall quarry and remove only in the permitted areas as per the approved Mining Plan details.
11. The quarrying operation shall be restricted between 7AM and 5 PM.
12. The proponent shall take necessary measures to ensure that there shall not be any adverse impacts due to quarrying operation on the nearby human habitations, by way of pollution to the environment.
13. A minimum distance of 15 mts. From any civil structure shall be kept from the periphery of any excavation area.

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 CHAIRMAN
 SEIAA-TN

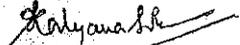
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14. Depth of quarrying shall be 2m above the ground water table /approved depth of mining whichever is lesser to be considered as a safe guard against Environmental Contamination and over exploitation of resources.
15. The mined out pits should be backfilled where warranted and area should be suitably landscaped to prevent environmental degradation. The mine closure plan as furnished in the proposal shall be strictly followed with back filling and tree plantation.
16. Wet drilling method is to be adopted to control dust emissions. Delay detonators and shock tube initiation system for blasting shall be used so as to reduce vibration and dust.
17. Drilling and blasting shall be done only either by licensed explosive agent or by the proponent after obtaining required approvals from Competent Authorities.
18. The explosives shall be stored at site as per the conditions stipulated in the permits issued by the licensing Authority.
19. Blasting shall be carried out after announcing to the public adequate through public address system to avoid any accident.
20. A study has to be conducted to assess the optimum blast parameters and blast design to keep the vibration limits less than prescribed levels and only such design and parameters should be implemented while blasting is done. Periodical monitoring of the vibration at specified location to be conducted and records kept for inspection.
21. The Proponent shall take appropriate measures to ensure that the GLC shall comply with the revised NAAQ norms notified by MoEF, GoI on 16.11.2009.
22. The following measures are to be implemented to reduce Air Pollution during transportation of mineral.
 - i. Roads shall be graded to mitigate the dust emission.
 - ii. Water shall be sprinkled at regular interval on the main road and other service roads to suppress dust
23. The following measures are to be implemented to reduce Noise Pollution
 - i. Proper and regular maintenance of vehicles and other equipment
 - ii. Limiting time exposure of workers to excessive noise.
 - iii. The workers employed shall be provided with protection equipment and earmuffs etc.
 - iv. Speed of trucks entering or leaving the mine is to be limited to moderate speed of 25 kmph to prevent undue noise from empty trucks.


 CHAIRMAN
 SEIAA-TN



24. Measures should be taken to comply with the provisions laid under Noise Pollution (Regulation and Control) (Amendment) Rules, 2010, dt. 11.01.2010 issued by the MoE&F, Govt to control noise to the prescribed levels.
25. Suitable conservation measures to augment groundwater resources in the area shall be planned and implemented in consultation with Regional Director, CGWB. Suitable measures should be taken for rainwater harvesting.
26. Permission from the competent authority should be obtained for drawl of ground water, if any, required for this project.
27. Topsoil, if any, shall be stacked properly with proper slope with adequate measures and should be used for plantation purpose.
28. The following measures are to be adopted to control erosion of dumps:-
 - i. Retention/ toe walls shall be provided at the foot of the dumps.
 - ii. Worked out slopes are to be stabilized by planting appropriate shrub/ grass species on the slopes.
29. Waste oils, used oils generated from the EM machines, mining operations, if any, shall be disposed as per the Hazardous Wastes (Management, Handling, and trans boundary movement) Rules, 2008 and its amendments thereof to the recyclers authorized by TNPCB.
30. Concealing the factual data or failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
31. Rain water harvesting to collect and utilize the entire water falling in land area should be provided.
32. Rain water getting accumulated in the quarry floor shall not be discharged directly to the nearby stream or water body. If it is to be let into the nearby water body, it has to be discharged into a silt trap on the surface within the lease area and only the overflow after allowing settling of soil be let into the nearby waterways. The silt trap should be of sufficient dimensions to catch all the silt water being pumped out during one season. The silt trap should be cleaned of all the deposited silt at the end of the season and kept ready for taking care of the silt in the next season.
33. The lease holder shall undertake adequate safeguard measures during extraction of material and ensure that due to this activity, the hydro-geological regime of the surrounding area shall not be affected. Regular monitoring of ground water level and quality shall be carried out around the mine lease area during the mining operation. If at any stage, if it is observed that


CHAIRMAN
SEIAA-TN



the groundwater table is getting depleted due to the mining activity; necessary corrective measures shall be carried out. District Collector/mining officer shall ensure this.

34. No tree-felling shall be done in the leased area, except only with the permission from competent Authority.
35. To take up environmental monitoring of the proposed quarry site before, during and after the mining activities including vibration study data, water, air & flora/fauna environment, slurry water generated/disposed and method of disposal, involving a reputed academic Institution.
36. It shall be ensured that the total extent of nearby quarries(existing, abandoned and proposed) located within 500 meter radius from the periphery of this quarry is not exceeding 25 hectares within the mining lease period of this application.
37. It shall be ensured that there is no habitation is located within 500 meter radius from the periphery of the quarry site and also ensure that no hindrance will be caused to the people of the habitation located within 500m radius from the periphery of the quarry site
38. Ground water quality monitoring should be conducted once in 3 Months
39. Transportation of the quarried materials shall not cause any hindrance to the Village people/Existing Village road.
40. Free Silica test should be conducted and reported to TNPCB, Department of Geology and Mining and Regional Director, MoEF , GOI.
41. Air sampling at intersection point should be conducted and reported to TNPCB, Department of Geology and Mining and Regional Director, MoEF , GOI..
42. Bunds to be provided at the boundary of the project site.
43. Ground water quality monitoring should be conducted once in 3 Months
44. The project proponent shall undertake plantation/afforestation work by planting the native species on all side of the lease area at the rate of 400/Ha. Suitable tall tree saplings should be planted on the bunds and other suitable areas in and around the work place.
45. At least 10 Neem trees should be planted around the boundary of the quarry site.
46. Floor of excavated pit to be levelled and sides to be sloped with gentle slope (Except for granite quarries) in the mine closure phase.
47. The Project Proponent shall ensure a minimum of 2.5% of the annual turnover will be utilized for the CSR Activity
48. The Project Proponent shall provide solar lighting system to the nearby villages
49. The Project Proponent shall comply with the mining and other relevant rules and regulations where ever applicable.
50. Rainwater shall be pumped out Via Settling Tank only
51. Earthen bunds and barbed wire fencing around the pits with green belt all along the boundary shall be developed and maintained.
52. As per MoEF&CC, GoI, Office Memorandum dated 30.03.2015, prior clearance from Forestry & Wild Life angle including clearance from obtaining committee of the National Board for Wild life as applicable shall be obtained before starting the quarring operation, if the project site is located within 10KM from National Park and Sanctuaries.
53. The quarrying activity shall be stopped if the entire quantity indicated in the Mining plan is quarried even before the expiry of the quarry lease period and the same shall be monitored by the District Authorities.
54. Safety equipments to be provided to all the employees.
55. Safety distance of 50m has to be provided in case of railway, reservoir, canal/oda

Kalyanesh
CHAIRMAN
SEIAA-TN

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General Conditions:

1. EC is given only on the factual records, documents and the commitment furnished in non judicial stamp paper by the proponent.
2. The Proponent shall obtain the Consent for Establishment from the TNPC Board before commencing the activity.
3. No change in mining technology and scope of working should be made without prior approval of the SEIAA, Tamil Nadu.
4. No change in the calendar plan including excavation, quantum of mineral (minor mineral) should be made.
5. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of particulate matter such as loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.
6. Effective safeguards shall be adopted against health risks on account of breeding of vectors in the water bodies created due to excavation of earth.
7. A berm shall be left from the boundary of adjoining field having a width equal to at least half the depth of proposed excavation.
8. Mineral handling area shall be provided with adequate number of high efficiency dust extraction system. Loading and unloading areas including all the transfer points should also have efficient dust control arrangements. These should be properly maintained and operated.
9. Vehicular emissions shall be kept under control and be regularly monitored. The mineral transportation shall be carried out through the covered trucks only and the vehicles carrying the mineral shall not be overloaded.
10. Access and haul roads to the quarrying area should be restored in a mutually agreeable manner where these are considered unnecessary after extraction has been completed.
11. All Personnel shall be provided with protective respiratory devices including safety shoes, Masks, gloves etc. Supervisory people should be provided with adequate training and information on safety and health aspects. Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
12. Periodical medical examination of the workers engaged in the project shall be carried out and records maintained. For the purpose, schedule of health examination of the workers should be drawn and followed accordingly. The workers shall be provided with personnel protective measures such as masks, gloves, boots etc.
13. Workers/labourers shall be provided with facilities for drinking water and sanitation facility for Female and Male separately.
14. The project proponent shall ensure that child labour is not employed in the project as per the sworn affidavit furnished.
15. The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry of Environment and Forests and its Regional Office located at Chennai.

Kalyanath
CHAIRMAN
 SEIAA-TN

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16. The Environmental Clearance does not absolve the applicant/proponent of his obligation/requirement to obtain other statutory and administrative clearances from other statutory and administrative authorities.
17. This Environmental Clearance does not imply that the other statutory / administrative clearances shall be granted to the project by the concerned authorities. Such authorities would be considering the project on merits and be taking decisions independently of the Environmental Clearance
18. The SEIAA, Tamil Nadu may alter/modify the above conditions or stipulate any further conditions in the interest of environment protection.
19. The SEIAA, Tamil Nadu may cancel the environmental clearance granted to this project under the provisions of EIA Notification, 2006, at any stage of the validity of this environmental clearance, if it is found or if it comes to the knowledge of this SEIAA, TN that the project proponent has deliberately concealed and/or submitted false or misleading information or inadequate data for obtaining the environmental clearance.
20. Failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.
21. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability Insurance Act, 1991, along with their amendments, draft Minor Mineral Conservation & Development Rules, 2010 framed under MMDR Act 1957, National Commission for protection of Child Right Rules, 2006 and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/Hon'ble High Court of Madras and any other Courts of Law relating to the subject matter.
22. Any other conditions stipulated by other Statutory/Government authorities shall be complied
23. Any appeal against this environmental clearance shall lie with the Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

S. Kalimuthu
CHAIRMAN
SEIAA-TN

Copy to:

1. The Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi.
2. The Principal Secretary, Environment and Forests Department, Government of Tamil Nadu, Tamil Nadu.
3. The Additional Chief Secretary, Industries Department, Government of Tamil Nadu, Tamil Nadu.
4. The Additional Principal Chief Conservator of Forests, Regional Office (SZ), 34, HEPC Building, 1st & 2nd Floor, Cathedral Garden Road, Nungambakkam, Chennai – 34.
5. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
6. The Chairman, Tamil Nadu Pollution Control Board, 76, Mount Salai, Guindy, Chennai-32
7. The District Collector, Karur District
8. The Commissioner of Geology and Mines, Guindy, Chennai-32
9. E.I Division, Ministry of Environment & Forests, Paryavaran Bhawan, New Delhi.
10. Spare.

**PROCEEDINGS OF THE DEPUTY DIRECTOR OF GEOLOGY AND
MINING, KARUR DISTRICT.**

Present. Dr.P.Jayapal M.Sc., Ph. D.

Rc.No.79/Mines/2023

Dated:31.03.2023

Sub: Mines and Minerals- Minor Mineral-Rough Stone - Karur District - Pugalur Taluk, (Erstwhile Aravakurichi Taluk) - Punnam Village - S.F.Nos. 1092/1A(P)(0.14.5 hect), 1092/1B(P)(0.11.0 hect), 1092/2A1(P)(0.04.5 hect), 1093/1A(P)(0.65.0 hect), 1093/1B(P)(0.40.5 hect), 1093/2A1(P)(0.28.0 hect) over an extent of 1.63.5 hectares of Patta Lands - Quarry Lease granted to Tvl.Karpaga Vinayaga Blue Metals - quarrying operations severely affected due to COVID - 19 lockdown - petition filed before the Commissioner of Geology and Mining - requested to extend the lease period for 2 years of non - operative period - quarry lease period extended for 15 months - orders issued.

- Ref:**
1. Proceedings of the District Collector, Karur District in RC.No. 1144/Mines/2017, dated.04.05.2018
 2. Environment Clearance issued vide Lr. DEIAA -DIA/TN/MIN/13778/2018-KRR Ec No.99/2018/Mines, dated: 23.04.2018.
 3. Ministry of Environment, Forest and Climate Changes Dept. Notification No:1807(E) dated 12.04.2022.
 4. Proceedings of the Commissioner of Geology and Mining Chennai in Rc.No:855/MM6/2023 dated: 07.02.2023.
 5. G.O. (Ms) No.169 Industries (MN1C) Department dated 04/08/2020.
 6. Other Connected records.

ORDER:

Tvl.Karpaga Vinayaga Blue Metals, Punnam Post, Pugalur Taluk, (Erstwhile Aravakurichi Taluk), Karur District had been granted a lease to quarry Rough Stone in S.F.Nos. 1092/1A(P)(0.14.5 hect), 1092/1B(P)(0.11.0 hect), 1092/2A1(P)(0.04.5 hect), 1093/1A(P)(0.65.0 hect), 1093/1B(P)(0.40.5 hect), 1093/2A1(P)(0.28.0 hect) over an extent of 1.63.5 hectares of Patta Lands in Punnam Village, Pugalur Taluk, (Erstwhile Aravakurichi Taluk), Karur District for a period of Five

Years under Rule 19(1) of TNMMCR 1959 by the District Collector Karur vide Proceedings in the reference 1st cited. The lease deed was executed on 04.05.2018 and the period of lease is upto 03.05.2023..

2. The lessee firm Tvl.Karpaga Vinayaga Blue Metals made a representation to the Commissioner of Geology and Mining stating that the above Rough Stone quarry was affected due to COVID-19 Pandemic and as per the instruction of the Govt. It is further stated that as per Environmental Clearance lessee firm has been permitted to quarry 1,96,210 cbm of Rough Stone from the above Lease hold area within the period of five years. But due to the lack of operation of the Stone quarry on the ground of COVID-19 and 72,379 cbm of Rough Stone was quarried and transported only during the lease period. Hence the lessee firm has requested the CGM, to extend the lease period for a period of 2 years so as to enable him to quarry and transport the balance quantity of 1,23,831 cbm from the leased-out area.

3. The representation made by the lessee firm was examined with reference to records, EC and rules inforce and it was ascertained that the quantity of 1,23,831 cbm Rough Stone was not quarried from a lease hold area due to COVID-19 and accordingly the Commissioner of Geology and Mining, Chennai has ordered to extend the lease period for a period of 15 months vide proceedings in the 4th cited, in order to quarry and transport the balance quantity of 1,23,831 cbm of Rough Stone from the lease hold area. It is ordered that the period of 15 months is from the date of expiry of the current lease period. It is further ordered that deemed extension of EC is applicable for the extended lease period as per the Notification in the ref: 3rd cited.

4. Further, the Commissioner of Geology and Mining, Chennai has directed the Deputy Director of Geology and Mining, Karur to execute the supplementary lease deed for the

extended quarry lease period for 15 months and also stated that deemed extension of Environmental Clearance as per the Ministry of Environment, forest and Climate Change Notification No.1807(E) dated: 12.04.2022.

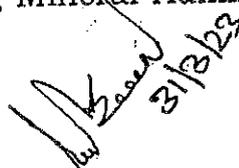
5. In the meanwhile the lessee firm had quarried and transported the total quantum of 78,979 cbm of Rough Stone on 01.03.2023. Hence unquarried quantum of 1,17,231 cbm of Rough Stone is available for exploitation as per the approved mining plan and Environmental Clearance.

6. As per Rule 19(1)(b) of TNMMCR 1959, amended vide In G.O. (Ms) No.169 Industries (MMC-1) Department dated 04-08-2020, the Assistant Director of Geology and Mining are empowered to grant lease for minor minerals in respect of Patta lands.

“(3-A) “Assistant Director of Geology and Mining” shall include Deputy Director of Geology and Mining”

In view of the above, the lease granted to Tvl.Karpaga Vinayaga Blue Metals to quarry Rough Stone in an extent of 1.63.5 Hect. of Patta Lands in S.F.Nos. 1092/1A(P)(0.14.5 hect), 1092/1B(P)(0.11.0 hect), 1092/2A1(P)(0.04.5 hect), 1093/1A(P) (0.65.0 hect), 1093/1B(P)(0.40.5 hect), 1093/2A1(P)(0.28.0 hect) of Punnam Village, Pugalur Taluk, (Erstwhile Aravakurichi Taluk), Karur District for a period of Five Years from 04.05.2018 under Rule 19(1) of TNMMCR 1959 by the District Collector Karur vide Proceedings in the reference 1st cited is hereby extended for a further period of 15 months from the date of expiry of the current lease period as per the proceedings of the Commissioner of Geology and Mining, Chennai and Rule 19(1) and 19(1)(b) TNMMCR 1959 subject to the following conditions: -

1. The lessee firm Tvl.Karpaga Vinayaga Blue Metals is directed to execute a supplementary lease deed for the extended lease period of 15 months
2. The supplementary lease deed shall be registered at the concerned Sub-Registrar office at the expenses of the lessee firm.
3. The extended lease period of 15 months will cease either the quarrying and transportation of quantity of 1,17,231 cbm Rough Stone completed or 15 months extended period will expire on 03.08.2024 whichever is earlier.
4. The terms and conditions imposed in the original lease granting order, lease deed, approved mining plan, Environmental Clearance and the existing Acts and Rules governing Mineral Administration shall be adhered strictly.


 Deputy Director,
 Geology and Mining,
 Karur

To:
 Tvl.Karpaga Vinayaga Blue Metals,
 Punnam Post,
 Pugalur Taluk,
 Karur District.


 31/3/23

Copy To:

1. The District Environmental Engineer,
 Tamil Nadu Pollution Control Board,
 Arivuthirukkivil Road,
 L.G.B Nagar, L.N.S Village,
 Karur - 639 001.
2. The Revenue Divisional Officer,
 Karur.
3. The Tahsildar,
 Pugalur,
 Karur District.

IN THE COURT OF THE DISTRICT MUNSIF OF KARUR

O.S.No.324/2024

M/s.Karpaga Vinayaga Blue Mettal
Represented by its Managing Partner
P.K.Ponnusamy

...Plaintiff

-Vs-

M.Iraithamarai

...Defendant

PLAINT PRESENTED BY THE PLAINTIFF UNDER ORDER 7
RULE 1 AND SECTION 151 OF C.P.C.

1) Plaintiff:

M/s.Karpaga Vinayaga Blue Mettal represented by its Managing Partner P.K.Ponnusamy S/o.Karuppana gounder, Hindu, aged about 57 years, doing a Business a partnership firm, having office at Sadayampalayam, Punnam Village, Pugalur Taluk, Karur District.

2) Defendant:

M.Iraithamarai W/o.Mathiyalagan, Hindu, aged about 50 years, residing at Uppupalayam, Kuppam Post, Pugalur Taluk, Karur District-639 111.

3) The property more fully described hereunder and herein after called the suit property situated within the jurisdiction of this Hon'ble Court.

- 4) The plaintiff is a partnership firm doing Blue Metal Business under the name and style as stated above. The xerox copy of the Registration Certificate of the plaintiff's firm is produced as plaintiff's Doc.No.1.
- 5) The suit property is situated within the jurisdiction of this Hon'ble court, which absolutely belongs to the plaintiff's firm.
- 6) Originally the suit property was the ancestral property of one K.Karuppanna gounder S/o.Kuppanna gounder of Melapalayam Village, and his son K.Nallusamy. The said Karuppanna gounder had a daughter namely Papayee W/o.Kulandaisamy, after given birth to a child namely K.Palaniyappan the above said Pappayee deserted her husband Kulandaisamy and she separately herself from the family of her husband Kulandaisamy.
- 7) Since the said Papayee deserted her husband Kulandaisamy and left the matrimonial house leaving her minor child Palanisamy with her husband. The said minor Palanisamy was brought up by his father Kulandaisamy. The said Kulandaisamy had no other child except the said Palanisamy. The above said Karuppanna gounder and his son Nallusamy and K.Palaniyappan who attained majority son of the above said Papayee who was know more at that time had jointly executed a registered sale deed dated 06.10.2008 (Doc.No.5996/2008) in favour of P.Manjula W/o.Ponnusamy in respect of the suit property having a total extent of acre 4.38 out of acre 7.30 comprising S.F.No.1092/2, 1093/2, 1094/2 for good and valuable consideration. The Registration copy of the registered sale deed dated 06.10.2008 is produced as plaintiff's Doc.No.2.

- 8) The above said purchaser P.Manjula sold acre 1.50 out of acre 4.38 purchased by her to one K.M.Gurusamy S/o.Marappa gounder under the registered sale deed dated 22.03.2012 (Doc.No.2207/2012). The Registration copy of the registered sale deed is produced as plaintiff's Doc.No.3.
- 9) Subsequently the above said purchaser P.Manjula W/o.Ponnusamy had sold acre 2.88 in S.F.No.1092/2A1, 1093/2A1, 1094/2A1 (as per new sub division) to the plaintiff for good and valuable consideration and executed a registered sale deed dated 12.01.2023 (Doc.No.307/2023). The Registration copy of the registered sale deed is produced as plaintiff's Doc.No.4.
- 10) Subsequently the above said purchaser K.M.Gurusamy sold his property which was acre 1.50 comprising S.F.No.1092/2, 1093/2, 1094/2 of Punnam Village and along with some other properties owned by him to the plaintiff for consideration, under the registered sale deed dated 01.02.2024 (Doc.No.659/2024). The Registration copy of the registered sale deed is produced as plaintiff's Doc.No.5.
- 11) Hence by virtue of the above said two independent registered sale deeds dated 12.01.2023 and 01.02.2024 the plaintiff has become an absolute owner of the acre 4.38 which is the suit property herein. The true copy of the online patta (No.8822) in the name of the plaintiff is produced as plaintiff's Doc.No.6, Which evidences his possessory title in the suit property.

- 12) The defendant is the stranger to the suit property and she was no way connected with the family of the vendor of the plaintiff. The defendant claiming herself as the daughter of the deceased Pappayee ammal had visited to the suit property along with the sum local gundass and demanded huge money from the plaintiff or otherwise leave her share in the suit property. But the plaintiff refused to do so. The defendant openly declared that she would dispossess the plaintiff from the suit property within a period of 15 days if the plaintiff don't pay the amount demanded by her.
- 13) Subsequently the plaintiff approached his predecessor in title K.Nallusamy and K.Palaniyappan S/o.Pappayee who sold the suit property to Manjula and made an enquiry about the defendant. The said Nallusamy and K.Palaniyappan had informed the plaintiff that the defendant was not the legal heir of Pappayee through her lawful husband Kulandaisamy and further they asserted that the defendant has no right title interest in the suit property sold by them.
- 14) Hence the defendant is not the legal heir of Pappayee through her husband Kulandaisamy.
- 15) In the circumstances it is obviously known that the defendant is trying to extort money and to get unlawful gain from the plaintiff by saying that she is the legal heir of the above said Pappayee. It comes to be known from the enquiry made by the plaintiff in the village that the Pappayee had only son namely Palanisamy and she never given birth to any child except the said Palanisamy. In the circumstances when the paternity of

the defendant doubtful she cannot claim any right in the suit property, after expiry of nearly 16 years from the date of the sale deed executed by the above said Karuppannan, Nallusamy and Palanisamy.

- 16) Now the defendant claiming some novel rights in the suit property absolutely belongs to the plaintiff, attempted to encroach the suit property on 21.09.2024 with the assistance of some rowdy elements in the manner of removing the barbaric fence surrounding the suit property. The plaintiff has averted the attempt made by the defendant with the assistance of some rowdy elements to encroach the suit property in the manner of removing the barbaric fence with great effort. The defendant is not law abiding citizen and she is dare to do anything to achieve her goal.
- 17) If the defendant succeed in her attempt the plaintiff will be put into irreparable loss which cannot be compensated by cost. Unless and until the defendant is restrained by a prohibitory order of permanent injunction the plaintiff is not able to enjoy the suit property peacefully.
- 18) The plaintiff apprehends that the defendant is dare to do anything and she is not a law avoiding citizen and she may trespass into the suit property and dispossess the plaintiff with the assistance of hooligans hired by them.
- 19) Hence the plaintiff has no other go except to file the suit for the relief of permanent injunction restraining the defendant, her men, servants from interfering the plaintiff's peaceful possession and enjoyment of the suit

property, by way of encroaching the suit property in the manner of by removing the barbaric fence surrounding the suit property.

- 20) The cause of action for the suit arose on 06.10.2008 when the above said Manjula W/o.Ponnusamy purchased the suit property and on 12.01.2023 when the plaintiff purchased the portion of suit property from the above said Manjula and on 01.02.2024 when the plaintiff purchased the portion of the suit property from K.M.Gurusamy and subsequent dates when the plaintiff had been in actual possession and enjoyment of the suit property and on 21.09.2024 when the defendant came to the suit property and threatened the defendant with dire consequences and openly proclaimed that she will dispossess the plaintiff with the assistance of local gundass from the suit property and at Punnam Village, Pugalur Taluk, Karur District, where the suit property is situated within the jurisdiction of this Hon'ble court.

Valuation for the purpose of court fee and jurisdiction is Rs.1,000/-

Court fees paid thereon under section 27 (c) of the C.F. Act is Rs.30.00/-

DETAILS OF VALUATION

As the relief sought for is of permanent injunction which is incapable of valuation the plaintiff's notional value is Rs.500/-

Higher statutory valuation is as contemplated under section 27 (c) of the C.F. Act. is Rs.1,000/-

Higher statutory valuation is adopted and the Court fees paid thereon under section 27 (c) of C.F. Act is Rs.30.00/-

14. It is therefore prayed that this Hon'ble Court may be pleased to pass a decree and judgment in favour of the plaintiff as against the defendant as follows:

(a) granting a decree for permanent injunction, restraining the defendant, her men, servants, agents, or any one on their behalf from in any manner from interfering the plaintiff's peaceful possession and enjoyment of the suit property by way of encroaching the suit property in the manner of by removing the barbaric fence surrounding the suit property.

(b) awarding the cost of the suit; and

(c) granting such other and further relief's as the Hon'ble Court may deems fit and proper to grant in the nature and circumstances of the case and thus render justice.

VERIFICATION

I am the plaintiff, do declare that the facts stated above are all true and correct to the best of our knowledge, belief and information and I signed this at Karur on 24.09.2024

DESCRIPTION OF THE PROPERTY

கரூர் பதிவு மாவட்டம், மேலக்கரூர் சார்பதிவுகம், அரவக்குறிச்சி வட்டமாக இருந்து தற்சமயம் புகளூர் வட்டம், புன்னம் கிராமம்,

அ.ப.ச.1092/2 நெ.ஹெக்.0.47.50 ஏர்ஸ் பூமி பூராவும்,

அ.ப.ச.1093/2 நெ.ஹெக்.0.94.50 ஏர்ஸ் பூமி பூராவும்,

அ.ப.ச.1094/2 நெ.ஹெக்.1.53.00 ஏர்ஸ் பூமி பூராவும்,
ஆக மொத்தம் ஹெக்.2.95.50-க்கு ஏக்.7.30 இதில் எங்களுக்குப்
பாத்தியப்பட்ட ஏக்.4.38 உள்ள புஞ்சை பூமிக்கு நான்கெல்லை விபரம்,

மேற்படி சர்வே எண்களில் மீதமுள்ள பெரியசாமி வகையரா பூமிக்கும் மேற்கு,
அய்யாசாமி, பெரியணகவுண்டர் இவர்கள் பூமிக்கும் தெற்கு, சுப்பிரமணியன் பூமிக்கும்
கிழக்கு, கிழமேல் பஞ்சாயத்து ரோட்டிற்கும் வடக்கு, இதன் மத்தியில் மேற்படி ஏக்.4.39-
க்கு ஹெக்.1.77.33 உள்ள புஞ்சை பூமியும் சகிதம். மேற்படி பூமிக்குண்டான மாமூல்
வழித்தடம் சகிதம். சகல ஈஸ்மெண்ட் பாத்தியங்கள் சகிதம்.

மேற்படி சொத்து தற்கால சட்டிவிஷன்படி சர்வே எண்கள்.1092/2A1,
அ.ப.ச.1093/2A1, அ.ப.ச.1094/2A1 ஆகியவற்றில் கட்டுப்பட்டது.

VERIFICATION

I am the plaintiff, do declare that the facts stated above are all true and
correct to the best of our knowledge, belief and information and I signed this
at Karur on 24.09.2024

LIST OF DOCUMENTS

SL.No.	Date	Details of Documents	Remarks
1	01.01.2007	Registration Certificate of the plaintiff's firm	Xerox copy
2	06.10.2008	Karuppanna gounder and others executed a registered sale deed in favour of one P.Manjula (Doc.No.5996/2008)	Registration copy

3	22.03.2012	P.Manjula executed a registered sale deed in favour of one K.M.Gurusamy (Doc.No.2207/2012)	Registration copy
4	12.01.2023	P.Manjula executed a registered sale deed in favour of the plaintiff (Doc.No.307/2023)	Registration copy
5	01.02.2024	K.M.Gurusamy executed a registered sale deed in favour of the plaintiff (Doc.No.659/2024)	Xerox copy of the Registration copy
6	23.09.2024	The online patta (No.8822) stands in the name of the plaintiff in the suit property	Online copy

(The above said documents are filed herewith)

T. e
K. Gurusamy
Advocate for the plaintiff.



W.P (MD).No.27348 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.27348 of 2024

and

W.M.P(MD)No.23149 of 2024

M.Iraithamarai

...Petitioner

Vs.

- 1.The Government of Tamil Nadu,
rep. by its Chief Secretary,
Geology and Mining Department,
Secretariat,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Geology and Mining,
Chennai.
- 3.The District Collector,
Karur District,
Karur.
- 4.The Assistant Director,
Department of Geology and Mining,
Karur District.
- 5.The Director,
Tamil Nadu Pollution Control Board,
District Environment Office,
Ramanakrishnapuram,
Karur,
Karur District.



W.P (MD).No.27348 of 2024



6.The Tasildar,
Pugalur Taluk,
Pugalur,
Karur District.

7.M/s.Karpaga Vinayagar Blue Metals
through its Managing Partner,
Punnam Post,
Pugalur Taluk,
Karur District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 2 to 6 for issuing any license for Rough Stone Quarry under Minor Mineral Concession Rules, 1959, and from executing any lease deed in the name of the fifth respondent or any other persons without the consent of this petitioner as a co-owner in the properties S.No.1094/1B-0.03.0 hecs, S.No.1094/2A-0.40.5 hecs, S.No. 1092/2A2-0.11.0 hecs, S.No.1092/2B-0.13.5 hecs, S.No.1093/2A2-0.22.5 hecs, S.No.1093/2B-0.31.5 hecs, S.No.1094/2A2-.0.27.5 hecs, S.No.1094/2B-0.72.5 hecs, S.No.1093/1A-0.31.5 hecs, 1093/1B-0.18.5 hecs, 1093/2A1-0.11.0 hecs, S.No.1094/1A-1.48.5 hecs, S.No.1094/1B-0.58.0 hecs, S.No.0.53.0 hecs, S.No. 1092/1A-0.14.50 hecs, S.No.1092/1B-0.11.0 hecs, S.No.1092/2S1-0.04.50 hecs, S.No.1093/1A-0.65.00 hecs, S.No.1093/1B-0.40.50 hecs, S.No. 1093/2A1-0.28.00 hecs in Punnam Revenue Village in Pugalur Taluk in Karur District.

For Petitioner : Mr.F.X.Eugene
For R1 to R6 : Mr.S.Shanmugavel
Additional Government Pleader



WEB COPY

ORDER

This writ petition has been filed for a direction forbearing the respondents 2 to 6 from issuing any license for Rough Stone Quarry under Minor Mineral Concession Rules, 1959 from executing any lease deed in respect of the properties comprised in S.No.1094/1B-0.03.0 hecs, S.No. 1094/2A-0.40.5 hecs, S.No.1092/2A2-0.11.0 hecs, S.No.1092/2B-0.13.5 hecs, S.No.1093/2A2-0.22.5 hecs, S.No.1093/2B-0.31.5 hecs, S.No.1094/2A2-0.27.5 hecs, S.No.1094/2B-0.72.5 hecs, S.No.1093/1A-0.31.5 hecs, 1093/1B-0.18.5 hecs, 1093/2A1-0.11.0 hecs, S.No.1094/1A-1.48.5 hecs, S.No. 1094/1B-0.58.0 hecs, S.No.0.53.0 hecs, S.No.1092/1A-0.14.50 hecs, S.No. 1092/1B-0.11.0 hecs, S.No.1092/2S1-0.04.50 hecs, S.No.1093/1A-0.65.00 hecs, S.No.1093/1B-0.40.50 hecs, S.No.1093/2A1-0.28.00 hecs in Punnam Revenue Village in Pugalur Taluk in Karur District in favour of the 7th respondent herein.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



W.P (MD).No.27348 of 2024

4. The properties comprised in S.No.1094/1B-0.03.0 hecs, S.No. 1094/2A-0.40.5 hecs, S.No.1092/2A2-0.11.0 hecs, S.No.1092/2B-0.13.5 hecs, S.No.1093/2A2-0.22.5 hecs, S.No.1093/2B-0.31.5 hecs, S.No.1094/2A2-0.27.5 hecs, S.No.1094/2B-0.72.5 hecs, S.No.1093/1A-0.31.5 hecs, 1093/1B-0.18.5 hecs, 1093/2A1-0.11.0 hecs, S.No.1094/1A-1.48.5 hecs, S.No. 1094/1B-0.58.0 hecs, S.No.0.53.0 hecs, S.No.1092/1A-0.14.50 hecs, S.No. 1092/1B-0.11.0 hecs, S.No.1092/2S1-0.04.50 hecs, S.No.1093/1A-0.65.00 hecs, S.No.1093/1B-0.40.50 hecs, S.No.1093/2A1-0.28.00 hecs in Punnam Revenue Village in Pugalur Taluk in Karur District were issued with license for rough stone quarrying in favour of the 7th respondent herein. It was expired on 03.08.2024. Subsequently, the 7th respondent applied for renewal of licence. The seventh respondent is a partnership firm which is having a license and lease in its favour. While being so, the petitioner is claiming to be a owner of portion of land in which, the seventh respondent sought for rough stone quarrying license and submitted a representation before the fourth respondent. That apart, the petitioner also filed a suit in O.S.No.324 of 2024 as against the seventh respondent herein, on the file of the District Munsif, Karur and it is pending without any interim order. Further, on the complaint lodged by the petitioner, the fourth respondent directed the jurisdictional Tahsildar to conduct an enquiry and submitted a report and it is pending.



W.P (MD).No.27348 of 2024



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5. The learned counsel for the petitioner would submit that insofar as the suit is concerned, it is related to some other party and not related to the subject property herein. However, now on the objections raised by the petitioner, the fourth respondent directed the jurisdictional Tahsildar to conduct an enquiry and submitted a report

6. In view of the above, the fourth respondent is directed to consider the objections raised by the petitioner in the light of the report to be submitted by the Tahsildar on the complaint copy of the petitioner and dispose of the application submitted by the seventh respondent after giving an opportunity of hearing to the parties concerned and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

18.11.2024



W.P (MD).No.27348 of 2024

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To

1. The Chief Secretary,
Government of Tamil Nadu,
Geology and Mining Department,
Secretariat,
Fort St. George,
Chennai-600 009.
2. The Commissioner of Geology and Mining,
Chennai.
3. The District Collector,
Karur District,
Karur.
4. The Assistant Director,
Department of Geology and Mining,
Karur District.
5. The Director,
Tamil Nadu Pollution Control Board,
District Environment Office,
Ramanakrishnapuram,
Karur,
Karur District.
6. The Tasildar,
Pugalur Taluk,
Pugalur,
Karur District.



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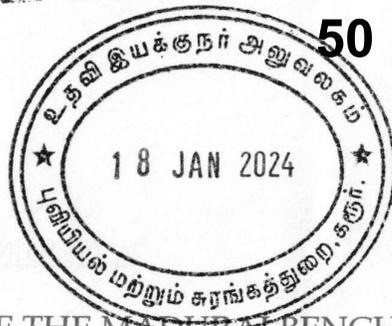
W.P (MD).No.27348 of 2024

G.K.ILANTHIRAIYAN, J.

am

W.P (MD).No.27348 of 2024

18.11.2024

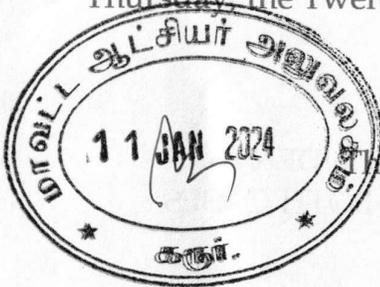


W.P(MD)Nos.31314 & 31315 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Eighth day of December Two Thousand and Twenty Three

PRESENT



The Hon`ble Mrs.Justice L. VICTORIA GOWRI

W.P(MD)Nos.31314 & 31315 of 2023
and

W.M.P(MD)Nos.26848, 26852, 26856 & 26858 of 2023

AdCham

M/S. BHARANI MURUGAN BLUE METAL,
REP. BY ITS MANAGING PARTNER,
SHIYAS MOHAMMED,
S/O. C.K.MOHAMMED,
K.PARAMATHI
NADANDHAIY POST,
ARAVAKURICHI TALUK,
KARUR DISTRICT.

... PETITIONER
IN WP(MD)NO.31314 OF 2023

M/S. KARPAGA VINAYAGAR BLUE METAL,
REP. BY ITS MANAGING PARTNER,
P.K.PONNUSAMY,
S/O. KARUPPANNA GOUNDER,
SF NO. 972/8, SADAYAMPALAYAM,
PUNNAM VILLAGE,
PUGALUR TALUK,
KARUR DISTRICT.

.. PETITIONER
IN WP(MD)NO.31315 OF 2023

Vs

1 THE DISTRICT COLLECTOR
KARUR DISTRICT,
KARUR.



W.P(MD)Nos.31314 & 31315 of 2023

2 THE REVENUE DIVISIONAL OFFICER,
KARUR REVENUE DIVISION,
KARUR.

3 THE DEPUTY DIRECTOR
DEPARTMENT OF GEOLOGY AND MINING,
KARUR DISTRICT.

... RESPONDENTS
IN BOTH CASES

PRAYER IN WP(MD)NO.31314 OF 2023

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for entire records pertaining to the impugned show cause notice issued by the 1st Respondent in Na.Ka.No. 87/Mineral / 2021 dated 15.12.2023 and quash the same and consequently issue a direction directing the 1st Respondent to dispose of the petitioners statutory appeal pending on the file of the 1st Respondent within the time limit that may be fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WMP(MD). 26848/ 2023 :

To pass order of stay all further proceedings in pursuant to the impugned show cause notice issued by the 1st Respondent in Na.Ka.No. 87/Mineral / 2021 dated 15.12.2023 pending disposal of the writ petition and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WMP(MD). 26852/ 2023 :

To pass an order of Interim direction, directing the 1st and 3rd Respondents to issue Quarry Permit to the petitioner based on the Quarry Lease deed dated 04.03.2022 commencing from 04.03.2022 to 03.03.2027 pending disposal of the writ petition and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



W.P(MD)Nos.31314 & 31315 of 2023

Prayer in WP(MD). 31315/ 2023 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for entire records pertaining to the impugned show cause notice issued by the 1st Respondent in Na.Ka.No. 87/Mineral / 2021 dated 15.12.2023 and quash the same and consequently issue a direction directing the 1st Respondent to dispose of the petitioners statutory appeal pending on the file of the 1st Respondent within the time limit that may be fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WMP(MD). 26856/ 2023 :

To pass order of stay all further proceedings in pursuant to the impugned show cause notice issued by the 1st Respondent in Na.Ka.No. 87/Mineral / 2021 dated 15.12.2023 pending disposal of the writ petition and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in WMP(MD). 26858/ 2023 :

To pass an order of Interim direction, directing the 1st and 3rd Respondents to issue Quarry Permit to the petitioner based on the existing Supplementary Quarry Lease Agreement dated 31.03.2023 under Document No. 2996/2023 granting lease to the petitioner for a period of 15 months from 04.05.2023 to 03.08.2024 pending disposal of the writ petition and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of MR.B.PRASANNA VINOTH, Advocate for the petitioner in both cases and of MR.P.SUBBARAJ, Special Government Pleader on behalf of the Respondents in both cases, the court made the following order:-

The petitioner-M/s.Bharani Murugan Blue Metal in W.P(MD)No.31314 of 2023 is having valid licence to quarry commencing from 04.03.2022 to 03.03.2027,



W.P(MD)Nos.31314 & 31315 of 2023

which was approved by the third respondent vide proceedings in Na.Ka.No.240/Mines/2020, dated 04.03.2022 and thereafter, quarrying lease deed was executed by the third respondent.

2.The petitioner-M/s.Karpaga Vinayaga Blue Metal in W.P(MD)No.31315 of 2023 is having valid licence to quarry commencing from 04.05.2018 to 03.05.2023 and the same was extended by a supplementary quarry lease agreement dated 31.03.2023 for the period from 04.05.2023 to 03.08.2024 which was approved by the first respondent vide proceedings in Na.Ka.No.1144/Mines/2017, dated 04.05.2018 and thereafter, quarrying lease deed was executed by the third respondent.

3.In the meanwhile, the second respondent levied penalty against the petitioners vide proceedings, dated 08.06.2023. Challenging the same, the petitioners preferred statutory appeals under Rule 36-C(1) of the Tamil Nadu Minor Mineral Concession Rules, 1959 ('TNMMCR, 1959') before the first respondent. However, without disposing of the said appeals, the impugned show cause notice dated 15.12.2023 came to be passed by the first respondent against the petitioners.



W.P(MD)Nos.31314 & 31315 of 2023

4.Mr.P.Subbaraj, learned Special Government Pleader, takes notice for the respondents.

5.In view of the above, this Court direct the first respondent to dispose of the appeals preferred by the petitioners on or before 18.01.2024.

6.In the meanwhile, there shall be an order of interim stay till the disposal of the appeals.

7.Further, in the meanwhile, there shall be a direction to the respondents 1 and 3 to issue quarry permit to the petitioners based on the quarry lease agreement, dated 04.03.2022 and based on the existing supplementary quarry lease agreement, dated 31.03.2023 respectively till the disposal of the appeals.

8.For filing counter, post the matter on 22.01.2024.

sd/-
28/12/2023

/ TRUE COPY /


8 / 01 / 2024

Sub-Assistant Registrar (C.S. I/ II/ III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.


08/1/24

ps

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W.P(MD)Nos.31314 & 31315 of 2023

TO

1 THE DISTRICT COLLECTOR
KARUR DISTRICT, KARUR.

2 THE REVENUE DIVISIONAL OFFICER,
KARUR REVENUE DIVISION, KARUR.

3 THE DEPUTY DIRECTOR
DEPARTMENT OF GEOLOGY AND MINING, KARUR DISTRICT.

+2. C.C. to B.PRASANNA VINOTH Advocate SR.No.18397

ORDER
IN

W.P(MD)Nos.31314 & 31315 of 2023
and

W.M.P(MD)Nos.26848, 26852, 26856 & 26858 of 2023

Date :28/12/2023

RK/DD (04/01/2024) 6P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023