

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.4.2015.

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.11416 of 2015

V.M.Rajamani

...Petitioner

vs.

- 1 The Director
Geological and Mining Department
Thiru Vi Ka Nagar Industrial Estate
Guindy Chennai 600 032
- 2 The District Collector
Vellore District at Vellore
- 3 The Revenue Divisional Officer/
Sub Collector Ranipet Vellore District
- 4 The Tahsildar
Arakkonam Taluk Vellore District
- 5 The Assistant Director
Land Survey Vellore District

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st respondent to dispose of the petitioner's statutory appeal dated 6.4.2015 within stipulated period of time and in accordance with law.

For Petitioner : Mr.M.V.Muralidaran
For Respondents : Mr.T.N.Rajagopalan,
Special Govt. Pleader

ORDER

This writ petition has been filed by Mr.V.M.Rajamani seeking a limited prayer for issuance of a writ of mandamus directing the Director of Geological and Mining Department, Chennai, the first respondent to dispose of the statutory appeal filed on 6.4.2015 within a stipulated time.

2. Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for the respondents.

3. The petitioner being successful bidder, the second respondent herein granted quarry lease in Na.Ka.No.101/2010(Mines) dated 4.2.2011 to quarry rough stones, cut stones, chakkai, jally in S.F.No.471 over an extent of 0.80.0 hectares in Kattupakkam Village, Arakkonam Taluk as per Rule 8 of Minor Minerals Concessions Rules, 1956 for a period of ten years. Subsequently, the Assistant Director, fifth respondent herein also had issued permit and trip sheet to carry the cut stones from the quarry on 23.2.2011. On receipt of the above permit and trip sheet, the petitioner went to the quarry for conducting the quarry business, surprisingly the petitioner found one Venkatesan and others doing quarry operations illegally for a long time and immediately he brought to the notice of the first respondent on 28.2.2011. It appears that on 15.3.2011, a letter was written to the fourth respondent to take necessary suitable action on the said Venkatesan and others, but, subsequently, it appears that the petitioner has filed two writ petitions one in W.P.No.19965 of 2012 against the District Collector and the Tahsildar, the Deputy Superintendent of Police, Arakkonam Taluk, Vellore District and the Inspector of Police Banavaram Police seeking for the relief of direction to consider his representations dated 20.2.2012 and 9.6.2012 and provide adequate police protection to carry his quarrying operations in S.F.No.471 and another writ petition in W.P.No.29424 of 2012 seeking for a directing to the respondents to consider the petitioner's representations dated 1.10.2012 and direct respondents 1 and 2 to take suitable action against the fifth respondent.

4. It is at this stage, learned Additional Government Pleader, bringing to the notice of the court a proceedings dated 25.2.2015, submitted that the District Collector has already passed an order imposing penalty for violation of the conditions made in the lease deed. As against that, though he has preferred appeal, since the same is pending, he has come to this court and however, if

reasonable time is granted for disposal of the petitioner's appeal, the same would be done on merits and in accordance with law.

5. Recording his statement, this court hereby directs the first respondent to consider the pending appeal of the petitioner and dispose of the same within a period of six weeks from the date of receipt of copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

ssk.

To

- 1 The Director
Geological and Mining Department
Thiru Vi Ka Nagar Industrial Estate
Guindy Chennai 600 032
- 2 The District Collector
Vellore District at Vellore
- 3 The Revenue Divisional Officer/
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- 5 The Assistant Director
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1 CC to Mr.M.V.Muralidaran, Advocate SR.No. 21298
1 CC to the Government Pleader, SR.No. 21517

W.P.No.11416 of 2015

SR (CO)
PSI (21.05.2015)