

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2015

CORAM :

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN

W.P.Nos.31597 to 31599 of 2015

M/s.Chettinad Cement Corporation Ltd.,
Rep. by its Company Secretary Mr.S.Hariharan,
Rani Seethai Hall Building,
No.603, Anna Salai,
Chennai-600 006. ... Petitioner in all WPs

Vs.

- 1.The State of Tamil Nadu,
rep. by its Secretary,
Industries Department,
Fort St. George,
Chennai-600 009.
- 2.The Commissioner of Geology and Mining,
Guindy, Chennai-600 032.
- 3.The District Collector,
Ariyalur District,
Ariyalur. ... Respondents in all WPs

Prayer in W.P.No.31597 of 2015: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to grant lime stone mining lease in respect of petitioner's patta lands totally measuring 35.17.0 Hectares comprised in Survey No.210, 211, 212 etc., situated in Reddipalayam Village, Ariyalur Taluk, Ariyalur District, by considering the petitioner's mining lease application dated 15.12.2009.

Prayer in W.P.No.31598 of 2015: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to grant lime stone mining lease in respect of petitioner's patta lands totally measuring 17.32.0 Hectares comprised in Survey No.575/2B etc., situated in Unjini & Sendurai Village, Sendurai Taluk, Ariyalur District, by considering the petitioner's mining lease application dated 29.11.2006.

Prayer in W.P.No.31599 of 2015: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to grant lime stone mining lease in respect of petitioner's patta lands totally measuring 8.56.0 Hectares comprised in Survey No.39/1 etc., situated in Kallankurichi Village, Ariyalur Taluk, Ariyalur District, by considering the petitioner's mining lease application dated 29.11.2006.

For Petitioner : Mr.K.Ramakrishna Reddy
For Respondents : Mr.T.N.Rajagopalan, Spl. GP.

ORDER

Heard the learned counsel for the petitioner as well as the learned Special Government Pleader, who took notice for the respondents and by consent of both sides, the writ petition is taken up for final disposal.

2.The prayers in these writ petitions are to direct the respondents to pass orders on the petitioner's applications for mining lease, dated 15.12.2009 and 29.11.2006 respectively, in respective of the patta lands of the petitioner situated at various survey numbers in Ariyalur District.

3.It is the case of the petitioner that the petitioner-company is carrying on the business of manufacturing and marketing all kinds of cement and the raw material for manufacturing cement is 'lime stone' which is a major mineral. In the course of the said business, the petitioner submitted applications to the 1st respondent, through the 3rd respondent, seeking lime stone mining lease in respect of the petitioner's patta lands in Ariyalur District. The 2nd respondent has also sent a letter to the 3rd respondent marking a copy to the petitioner, pointing out some deficiencies and requiring the petitioner to comply with the same. According to the petitioner, they have complied with all the deficiencies pointed by the 2nd respondent. Thereafter, the 3rd respondent also sent a letter, dated 10.05.2012, to the 2nd respondent recommending to grant lime stone mining lease to the petitioner in respect of the subject lands. Despite the recommendations of the 3rd respondent, no order has been passed on the applications of the petitioner. Hence, the petitioner is before this Court.

4.The learned Special Government Pleader submitted that the petitioner's application was not considered earlier because of the deficiencies pointed out by the respondents. It is further submitted by the learned Special Government Pleader that after due consideration, the authorities would pass orders on the

applications of the petitioner.

5.Having considered the facts and circumstance of the case and in view of the submissions made by the learned Special Government Pleader, to give quietus to the issue, without going into the merits of the claim of the petitioner, this Court directs the respondents to take up the applications of the petitioner dated 15.12.2009 and 29.11.2006 and dispose of the same on merits and in accordance with law, after affording an opportunity to the petitioner. The said exercise shall be completed within a period of eight weeks, from the date of receipt of a copy of this order.

With the above direction, the writ petitions are disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssv

To

- 1.The Secretary,
State of Tamil Nadu,
Industries Department,
Fort St. George, Chennai-600 009.
- 2.The Commissioner of Geology and Mining,
Guindy, Chennai-600 032.
- 3.The District Collector, Ariyalur District,
Ariyalur.

+1 cc to Mr.K.Ramakrishna Reddy, Advocate sr.57837

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