

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.32294 of 2015

C.Raman

... Petitioner

Vs

1. The State rep. by
The Commissioner,
Department of Geology and Mining,
Guindy, Chennai - 32.
2. The State rep. by
The District Collector,
Krishnagiri, Krishnagiri District.
3. The Assistant Director,
Department of Geology and Mining,
Collectorate, Krishnagiri District,
Krishnagiri.
4. Tahsildar,
Krishnagiri, Krishnagiri District.
5. The Deputy Tahsildar (Special),
Department of Geology and
Mining, Krishnagiri.

... Respondents

Petitions filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents to release the petitioner's vehicle - Lorry bearing Regn. No.TN 30 E 0811 pending disposal of the appeal proceedings No.7784/MM9/08.09.2015 preferred by the petitioner against the order of the second respondent dated 17.07.2015 vide proceedings Na.Ka.No.581/2015/Minerals-1 which is pending on the file of the first respondent.

For Petitioner : Mr.R.Thirumoorthy
For Respondents : Mr.T.N.Rajagopalan,
Special Government Pleader

ORDER

Seeking for a direction to release the lorry bearing Regn. No.TN 30 E 0811 pending disposal of the appeal dated 17.07.2015, the petitioner has filed this writ petition.

2.The petitioner is the owner of the lorry bearing Regn. No.TN 30 E 0811 and on 11.06.2015, the vehicle was seized by the fourth respondent for transporting granite stones without permission. While so, the second respondent passed the impugned order dated 17.07.2015, directing the petitioner to pay exorbitant fine, without affording an opportunity. Since no notice has been issued before passing the impugned order, the petitioner preferred an appeal dated 08.09.2015 before the second respondent. As no orders have been passed in the appeal by the second respondent, the petitioner is before this Court.

3.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4.Considering the limited prayer sought for by the petitioner, without going into the merits of the case, the second respondent is directed to consider the appeal of the petitioner dated 08.09.2015 and pass orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Department of Geology and Mining,
Guindy, Chennai - 32.
2. The District Collector,
Krishnagiri, Krishnagiri District.
3. The Assistant Director,
Department of Geology and Mining,
Collectorate, Krishnagiri District,
Krishnagiri.
4. The Tahsildar,
Krishnagiri, Krishnagiri District.
5. The Deputy Tahsildar (Special),
Department of Geology and
Mining, Krishnagiri.

+1cc to Mr.R.Thirumoorthy, Advocate, S.R.No.55766

W.P.No.32294 of 2015

RV(CO)
CA(29/10/2015)



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