

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2015

CORAM:

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.33364 of 2015

1.Irudhayasamy
2.Louis
3.Sudhanthira Devi
4.Suriyanarayanan .. Petitioners

Vs

1.The District Collector,
Salem District, Salem.
2.The Revenue Divisional Officer,
Attur, Salem District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to dispose the Statutory Appeal filed under Section 36-C of Tamil Nadu Mines and Minerals Concession Rules by the petitioners on 7.9.2015 within a stipulated time as this Court may fix.

For Petitioners.. Mr.C.Prakasam

For Respondents.. Mr.T.N.Rajagopalan,
Spl. Govt. Pleader

ORDER

Seeking a direction to the first respondent to dispose the Statutory Appeal dated 07.09.2015 filed by the petitioners under Section 36-C of Tamil Nadu Mines and Minerals Concession Rule, the present writ petition has been filed.

2.Petitioners 1 to 3 are the owners of the vehicles bearing Regn. Nos.TN 77 E 2583 (JCB), TNF 2932 (Tractor with Tipper) and TN 30 W 9050 (Tractor with Trailer), MDO 8861 and TN 77 7914 (Tractor with Trailer) respectively. The fourth petitioner is the owner of the agricultural land and he engaged the services of the petitioners 1 to 3 to level the land. While so, the Inspector of Police, Thammampatti, Salem District came to the fourth petitioner's land and also seized the vehicles.

Subsequently, the second respondent passed the common order dated 31.08.2015 and imposed penalty of Rs.25,000/- for each vehicle and imposed penalty of Rs.43,200/- on the fourth petitioner. Against the same, the petitioners preferred appeal before the first respondent on 07.09.2015. Since the said appeal has not been disposed of, the petitioners are before this Court.

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

4.Considering the limited prayer sought for by the petitioners, the first respondent is directed to consider the appeal filed by the petitioners dated 07.09.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

mmi
To

- 1.The District Collector,
Salem District, Salem.
- 2.The Revenue Divisional Officer,
Attur, Salem District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.57745
+1cc to the Government Pleader, S.R.No.57728

MSM(CO)
EU(02/11/2015)

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