

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.12.2015

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice PUSHPA SATHYANARAYANA

W.P.No.25145 of 2013

1.S.Krishnaraj
2.S.Vedanayaki
3.M/s.Yes Yes Minerals
represented by its Partner Mr.S.Krishnaraj
all 1 to 3 at No.21, Om Sakthi Street,
Poolambadi Post, Veppanthattai Taluk
Perambalur District .. Petitioners

Versus

1.Government of Tamil Nadu
represented by its Principal Secretary to Government
Industries Department,
9th Floor, New Secretariat Building,
Chennai 600 009

2. The Commissioner of Geology and Mining
Guindy Industrial Estate Post,
Chennai 600 032.

3.The District Collector,
Nagapattinam.

4.Assistant/Deputy Director of Geology and Mining
Collectorate Building, Nagapattinam.

5.Tahsildar, Tharangambadi Taluk,
Tharangambadi post
Nagapattinam District.

6.Tahsildar, Sirkazhi Taluk,
Sirkazhi Post,
Nagapattinam District.

7.M/s.A.World Rock Pvt. Ltd.,
No.20, Pantheon Road,
Egmore, Chennai 600 008.

8.Union of India,
represented by its Secretary to Government
Ministry of Mines, Department of Mines
Sastri Bhavan, New Delhi 110 001.

... Respondents

Petitions filed under Article 226 of the Constitution of India praying for the issue of a writ of Certiorarified Mandamus, calling for the records relating to the proceedings bearing No.6647/MMD.1/2013-5 dated 24.05.2013 of the 1st respondent herein and quash the same and consequently direct the respondents 1 to 6 to further process the application of the petitioner for grant of mining lease as per application submitted on 02.01.2003.

For Petitioners ::: Mr.R.Thiagarajan
Senior Counsel for Mr.V.P.Mohammed Moin

For Respondents ::: Mr.S.T.S.Murthi
Government Pleader assisted by
Mr.V.R.Kamalanathan AGP for
Mr.V.Shanmugasundar
Government Advocate for R.1 and R.6.
Mr.V.Sanjeevi for R.7

O R D E R

(The Order of the Court was made by The Hon'ble The Chief Justice)

The petitioner seeks to impugn the notice/communication dated 24.05.2013 which rejected the petitioners' application for Mining Lease for the reasons set out therein. Having rejected the application, thereafter the communication states that the petitioner should show cause why the Mining Lease application should not be rejected for the reasons.

2.It thus appears that the notice can hardly be said to be happily worded in terms of orders passed in W.P.No.34258 of 2015. Certain requirements have to be complied with by the petitioner with the Tamil Nadu Pollution Control Board and thereafter, public hearing is to be held.

3. In the aforesaid given position, learned Government Pleader states that the notice dated 24.05.2013 can be treated as withdrawn and the respondents are free to proceed in accordance with law keeping in mind the orders passed in W.P.No. 34258 of 2015.

The writ petition accordingly stands closed in the aforesaid terms. No costs. Consequently, M.P.Nos.1 and 2 of 2013 are closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ksr

To

1. The Principal Secretary to Government Industries Department,
9th Floor, New Secretariat Building,
Chennai 600 009.
2. The Commissioner of Geology and Mining
Guindy Industrial Estate Post, Chennai 600 032.
- 3.The District Collector, Nagapattinam.
- 4.Assistant/Deputy Director of Geology and Mining
Collectorate Building, Nagapattinam.
- 5.Tahsildar, Tharangambadi Taluk,
Tharangambadi post, Nagapattinam District.
- 6.Tahsildar, Sirkazhi Taluk,
Sirkazhi Post, Nagapattinam District.
- 7.The Secretary to Government
Union of India
Ministry of Mines, Department of Mines
Sastri Bhavan, New Delhi 110 001.

- 1 cc to Ms. V.P. Mohammed Moin, Advocate, sr. 67746
1 cc to Mr.V. Sanjeevi, Advocate, Sr. 67459

W.P.No.25145 of 2013

SK (CO)
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