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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.09.2015
CORAM:
THE HONOURABLE Mr.JUSTICE T.RAJA
W.P.(MD)No.15829 of 2015

K.S.Kandasamy

... Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The Assistant Director,
Geology and Mining,
Karur.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to process the petitioner's application dated 06.02.2015 submitted under Rule 19(1) of the Mines and Mineral Concession Rules, 1959 for grant of quarry lease in respect of S.F.No.387 to an extent of 2.86.0 hectares and S.F.No.388/1 to an extent of 1.04.0 hectares located at Kuppan Village, Aravakurichi Taluk, Karur District on merits and in accordance with law within a time frame fixed by this Court.

For Petitioner : Mr.N.Shanmugaselvam
For Respondents : Mrs.S.Bharathi, G.A.

ORDER

This Writ petition has been filed by the petitioner viz.,K.S.Kandasamy, seeking an order to issue a Writ of Mandamus, directing the respondents to process the application dated 06.02.2015 submitted under Section 19(1) of the Tamil Nadu Minor Mineral Concession Rules, 1959, for grant of quarry lease in respect of S.F.No.387 having an extent of 2.86.0 hectares and S.F.No.388/1 having an extent of 0.04.0 hectares located in Kuppan Village, Aravakurichi Taluk, Karur District on merits and in accordance with law.

2.Mrs.Bharathi, learned Government Advocate takes notice for the respondents. By consent, the Writ petition itself is taken for final disposal. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.The grievance of the petitioner is that when the 1st respondent / District Collector, Karur by a proceedings in RC.B.345/G&M/2009, dated 30.12.2009 has granted permission to quarry arali, jelly and sholing for a period of 5 years from January 2010 to 2015 under Rule 19(1) of the said Rules and the period lapsed on 10.01.2015. Thereafter, the petitioner made an application on 06.02.2015 along with necessary documents. But till date, the said application has not been considered. Therefore, he has come forward with this Writ petition for the aforesaid prayer.

4.Considering the limited prayer sought for in this Writ petition, without going into the merits of the matter, this Court hereby directs the 1st respondent to consider the application dated 06.02.2015 filed

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under Section 19(1) of the Rules, and pass appropriate orders on merits and in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order.

The Writ petition is disposed of. No costs.

sd/-
Assistant Registrar(Crl.side)

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/True copy/

Sub Assistant Registrar

To
1.The District Collector,
Karur District, Karur.

2.The Assistant Director,
Geology and Mining,
Karur.

+one cc to Mr.N.Shanmuga selvam, Advocate in SR.No.51022

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csl/NGM-SS/SAR-I/28.09.2015
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