



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

CORAM :

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

Writ Petition (MD) Nos.1772 to 1777 of 2015

WEB COPY

J. Godwin Moses	... Petitioner in WP (MD) No. 1772/15
T. Kumaresan	... Petitioner in WP (MD) No. 1773/15
N. Mathias	... Petitioner in WP (MD) No. 1774/15
C. Dhas	... Petitioner in WP (MD) No. 1775/15
V. Junar	... Petitioner in WP (MD) No. 1776/15
S. Subbulekshmi	... Petitioner in WP (MD) No. 1777/15

Vs.

1. The Chairman,
State Level Environment Impact
Assessment Authority,
3rd Floor,
Panagal Maligai,
No. 1, Jeenis Road,
Saidapet, Chennai-5.

2. The District Collector,
Kanyakumari District,
Kanyakumari.

3. The Assistant Director,
Geology and Mining,
Kanyakumari District.

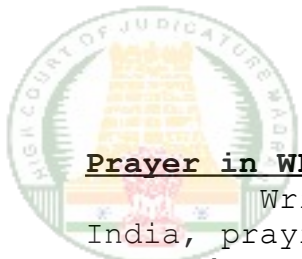
... Respondents in all the petitions

Prayer in WP (MD). 1772/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 2nd respondent to extend the lease period of the petitioner for a period of 5 months and 3 days for the break up period from 22.05.2014 to 24.10.2014 for conducting quarry operation in S.No.720 over an extent of 114.00.0 Hectares in Marungoor village, at Agasteeswaram Taluk, in Kanyakumari District and consequently direct the 2nd & 3rd respondents to issue transport permit to the petitioner for the said period.

Prayer in WP (MD). 1773/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ order or direction or any other writ in the nature of Writ of Mandamus directing the 2nd respondent to extend the lease period of the petitioner for a period of 6 months and 28 days for the break up period from 31.5.14 to 28.12.14 for conducting quarry operation in petitioner's patta land in S.F.No.480/2(P) over an extent of 1.00.0 Ha in Mecode Village at Kalkulam Taluk, in Kanyakumari District and consequently direct the 2nd & 3rd respondents to issue transport permit to the petitioner for the said period.

**Prayer in WP(MD). 1774/ 2015 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 2nd respondent to extend the lease period of the petitioner for a period of 6 months and 28 days for the break up period from 31.05.2014 to 28.12.2014 for conducting quarry operation in Petitioner s patta land ifn S.F. No. 473/1 (P) over an extent of 0.55.45 Ha in Aruvikkarai Village at Kalkulam Taluk in Kanyakumari District and consequently direct the 2nd and 3rd respondents to issue transport permit to the petitioner for the said period .

Prayer in WP(MD). 1775/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the 2nd respondent to extend the lease period of the petitioner for a period of 6 months and 28 days for the break up period from 31.5.14 to 28.12.14 petitioner for conducting quarry operation in petitioner s patta land in S.F.No.521/5A over an extent of 1.78.2 Hectares in Ponmalai village in Kanyakumari District and consequently direct the 2nd & 3rd respondents to issue transport permit to the petitioner for the said period.

Prayer in WP(MD). 1776/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ order or direction or any other writ in the nature of Writ of Mandamus directing the 2nd respondent to extend the lease period of the petitioner for a period of 7 months and 11 days for the break up period from 31.5.14 to 11.01.15 for conducting quarry operation in petitioner s patta land in S.F.No.434/15, 432/16A and 432/19A over an extent of 0.32.0 Hectares in Kunnathur Village, at Vilavancode Taluk in Kanyakumari District and consequently direct the 2nd & 3rd respondent to issue transport permit to the petitioner for the said period.

Prayer in WP(MD). 1777/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 2nd respondent to extend the lease period of the petitioner for a period of 7 months and 12 days for the break up period from 31.05.2014 to 12.01.2015 for conducting quarry operation in Petitioner s patta land ifn S.F. No. 720 (P) Block III, over an extent of 4.00.0 Hectares in Marungoor Village at Agasteeswaram Taluk in Kanyakumari District and consequently direct the 2nd and 3rd respondents to issue transport permit to the petitioner for the said period.

For Petitioner : Mr.K.Samidurai
(in all Writ petitions)

For Respondents : Mr.M.Rajarajan,
(in all Writ petitions) Government Advocate

ORDER

Heard the learned counsel appearing for the petitioners and Mr. M. Rajarajan, learned Government Advocate takes notice for the respondents. By consent, the writ petitions are taken up for final disposal at the admission stage.



2. In all the cases, the petitioners are seeking for extension of lease period as sought for in their individual representation made before the second respondent. The petitioners have made such representation and sought for extension based on the reasons set out therein.

3. Whether the petitioners are entitled to such relief or not is for the respondents more particularly, the second respondent to consider and decide and therefore, this Court at this stage, is not expressing any view on the claim made by the petitioners.

4. Accordingly, the writ petitions are disposed of only with a direction to the second respondent to consider the representation of the petitioners dated 22.05.2014, 21.01.2015, 19.01.2015, 21.01.2015, 21.01.2015 and 19.01.2015 respectively and pass appropriate orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant RegistrarTo

1. The Chairman,
State Level Environment Impact
Assessment Authority,
3rd Floor,
Panagal Maligai,
No.1, Jeenis Road,
Saidapet, Chennai-5.

2. The District Collector,
Kanyakumari District,
Kanyakumari.

3. The Assistant Director,
Geology and Mining,
Kanyakumari District.

+6cc to Mr.K.Samidurai, Advocate, SR.No.6437 TO 6442

+1cc to Special Govt.Pleader SR.No.6774,6775,6780,6783,6786,6788

Writ Petition (MD) Nos.1772 to 1777 of 2015
12.02.2015

sms

PA/13.02.15/3P/11C (IT)