



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.05.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.(MD)No.7925 of 2015
and M.P.(MD) Nos. 1 to 3 of 2015

P.Eniyabharathi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by District Collector,
Thoothukudi District, Thoothukudi.

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

3.P.Balakrishnan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to execute the registered lease deed in favour of the petitioner in respect of the property in S.No.697(P) over an extent of 4.95.0 Hectares from and out of the 60 Acres in S.Nos. 697 to 702 of Mudukkalankulam Village of Kovilpatti Taluk, pursuant to the registered lease deed dated 12.03.2014 within a time to be stipulated by this Court and pass such further or other orders as this Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner ... Mr.A.Sivaji

For R1 & R2 ... Mr.V.Muruganandam
Government Advocate

O R D E R

The petitioner has filed this Writ Petition to direct the first respondent to execute a registered lease deed in favour of the petitioner in respect of the property in S.No.697(P) over an extent of 4.95.0 Hectares from and out of the 60 Acres in S.Nos. 697 to 702 of Mudukkalankulam Village of Kovilpatti Taluk.

2. According to the petitioner, the petitioner has obtained the property by way of a Registered Lease Deed from the third respondent dated 12.03.2014 registered as Document No.1898 of 2014. It is further submitted that pursuant to the lease, the petitioner has filed an application for grant of quarrying permission to quarry the rough stone blue metal and gravel and the application was processed and the Additional Director of Geology and Mining, Tuticorin, has also issued necessary orders and the State Level Environment Impact Assessment Authority, Chennai, has passed an order dated 01.04.2015. At that stage,



it appears that the third respondent has acted against the interest of the petitioner and attempted to enter into the property. In this regard, a representation was given to the first respondent and the same is pending.

3. In the light of the above, there shall be a direction to the first respondent to consider the representation of the petitioner dated 30.04.2015 after issuing notice to the petitioner and the third respondent and to pass reasoned orders on merits and in accordance with law within a period of three weeks from the date of receipt of copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District, Thoothukudi.

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

+1cc to MR.A.SIVAJI, ADVOCATE IN SR : 25212
+1CC TO THE SPECIAL GOVERNMENT PLEADER, IN SR : 25358

Ses
SR/PPS : 15.05.2015 : 2p/5c

W.P. (MD) No. 7925 of 2015
and M.P. (MD) Nos. 1 to 3 of 2015
13.05.2015