

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.09.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.30621 of 2014

and
M.P.Nos.1 and 2 of 2014

K.Arul

...Petitioner

Vs.

1. The District Collector,
Krishnagiri District, Krishnagiri.
2. M/s. Power Grid Corporation,
of India Ltd.,
rep. by its Chief Manager,
No.32, Race Course Road,
Bangalore 560 001.
3. The Chief Manager,
Power Grid Corporation of India Ltd.,
Hosur, Krishnagiri District.

.... Respondents

Prayer :

Writ Petition, filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari to call for records of the first respondent, in ROC.No.338/2014/Mines -1, dated 11.11.2014, in respect of petitioner's land, comprised in Survey No.13/1A Nerigam Village, Hosur Taluk, Krishnagiri District, and to quash the same.

For Petitioner : Mr.K.R.Krishnan
For Respondent-1 : Mr.S.Diwakar
Special Government Pleader
For Respondents 2 & 3: Mr.V.Kalyanaraman
for M/s.Aiyar & Dolia

O R D E R

Heard Mr.K.R.Krishnan, learned counsel appearing for the petitioner, Mr.S.Diwakar, learned Special Government Pleader for first respondent, and Mr.V.Kalyanaraman, learned counsel for M/s.Iyer and Dolia, counsels for respondents 2 and 3.

2. In this Writ Petition, the petitioner has challenged the order passed by the first respondent, terminating the quarry lease granted in favour of the petitioner.

3. After some arguments, the learned counsel appearing for the petitioner would submit that, as against the impugned order, the petitioner has got a remedy of filing Appeal before the Commissioner of Geology and Mining, Chennai, and the petitioner seeks to prefer the appellate remedy.

4. The learned Special Government Pleader for first respondent, and learned counsel for respondents 2 and 3 do not object to the request made by the learned counsel for the petitioner.

5. Accordingly, this Writ Petition is disposed of, by directing the petitioner to file an Appeal before the Commissioner of Geology and Mining, Chennai, as per Rule 36 C of Tamil Nadu Mines and Minerals Concession Rules, 1959. If such Appeal is filed by the petitioner, within 30 days from the date of receipt of a copy of this order, the Appellate Authority/Commissioner of Geology and Mining, shall entertain the Appeal, without reference to limitation, taking note of the fact that this Writ Petition is pending before this Court since November, 2014. In the event, the petitioner is able to succeed before the Appellate Authority, then, it is open to the petitioner to approach the second respondent/Corporation for shifting of the Tower and power lines. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sd

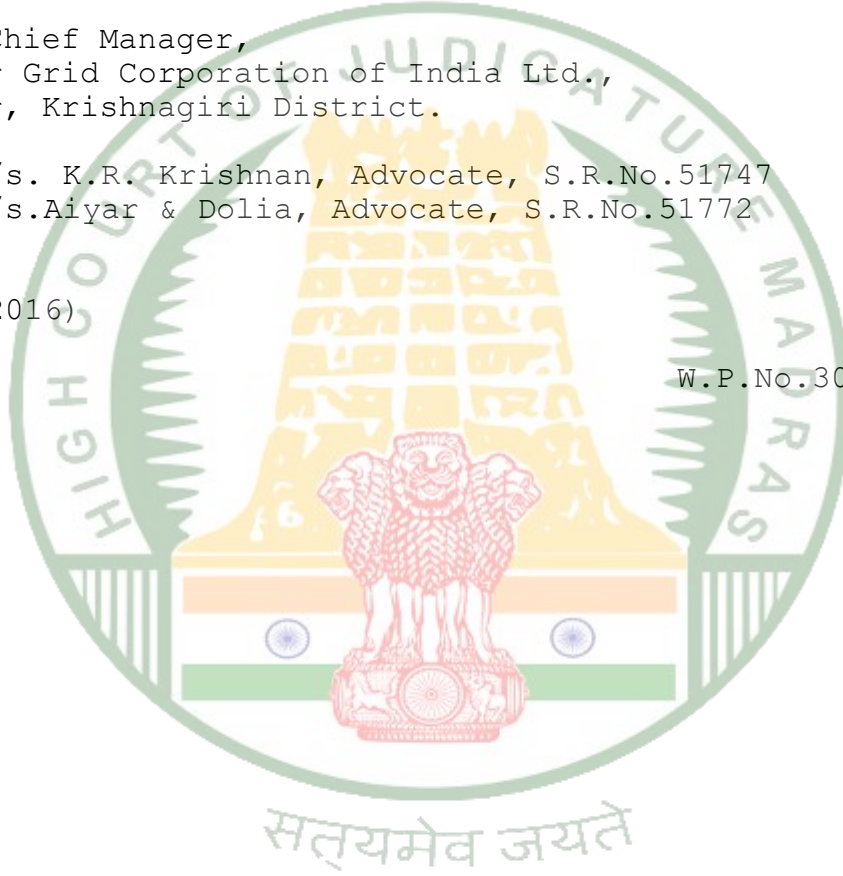
To

1. The District Collector,
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2. M/s. Power Grid Corporation,
of India Ltd.,
rep. by its Chief Manager,
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3. The Chief Manager,
Power Grid Corporation of India Ltd.,
Hosur, Krishnagiri District.

+1cc to M/s. K.R. Krishnan, Advocate, S.R.No.51747
+1cc to M/s.Aiyar & Dolia, Advocate, S.R.No.51772

RP(CO)
EU(29/09/2016)

W.P.No.30621 of 2014



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