

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE:24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.24960 of 2015 and
MP.No.1 of 2015

P.Elango

.. Petitioner

Vs.

The Commissioner of Geology & Mining,
Department of Geology and Mining,
Guindy, Chennai - 600 032.

.. Respondent

Prayer:Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 30.03.2015, and issue confirmation letter to the effect that the Precise Area Communication issued in letter No.15962/MM6/2008 dated 13.08.2009 by the respondent Commissioner of Geology and Mining for the grant of lease to the petitioner for mining Quartz, Feldspar and Magnesite from the Patta land bearing S.F.No.138(P) (1.65.5 Hectares); S.F.No.140/1A (1.32.0 Hectares); S.F. No.140/3A (0.72.0 Hectare) and S.F.No.140/4A (0.52.0 Hectare) totally 4.19.5 Hectares in Goundampalayam Village, Paramathivelur Taluk, Namakkal District is still valid, so as to enable the Regional Controller of Mines, Indian Bureau of Mines, Chennai - 600 090 to approve the mining plan and Progressive Mine Closure plan.

For Petitioner : Mr.V.Sanjeevi

For Respondent : Mr.S.Diwakar

Special Government Pleader

ORDER

Heard Mr.V.Sanjeevi, learned counsel for the petitioner and Mr.S.Diwakar, learned Special Government Pleader appearing for the respondent and with their consent, the Writ Petition is taken up for final disposal.

2.The petitioner has filed this writ petition praying for issuance of a writ of mandamus to direct the respondent to consider the representation of the petitioner dated 30.03.2015 and issue confirmation letter to the effect that the Precise Area Communication issued in letter No.15962/MM6/2008 dated 13.08.2009 by the respondent Commissioner of Geology and Mining

for the grant of lease to the petitioner for mining Quartz, Feldspar and Magnesite from the Patta land bearing S.F.No.138(P) (1.65.5 Hectares); S.F.No.140/1A (1.32.0 Hectares); S.F.No.140/3A (0.72.0 Hectare) and S.F.No.140/4A (0.52.0 Hectare) totally 4.19.5 Hectares in Goundampalayam Village, Paramathivelur Taluk, Namakkal District is still valid, so as to enable the Regional Controller of Mines, Indian Bureau of Mines, Chennai - 600 090 to approve the mining plan and Progressive Mine Closure plan.

3.On the last occasion, the learned Special Government Pleader accepted notice on behalf of the respondent and requested time to verify if such application is pending. Today, on instruction, it is submitted that an application is pending before the respondent and he requests four weeks time may be granted to the respondent to consider and pass orders on the representation of the petitioner.

4.In the light of the above submission, the respondent is directed to consider the petitioner's representation dated 30.03.2015 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

sgl

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

The Commissioner of Geology & Mining,
Department of Geology and Mining,
Guindy, Chennai - 600 032.

+ 1 cc to Govt. Pleader SR 35541

gj(co)
prk13/7

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