

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.11310 of 2013

N.Muniraj .. Petitioner
Versus

1. The District Collector
Office of the District Collectorate,
Krishnagiri District.
2. The Assistant Director (Mines)
Krishnagiri District.
3. The Tahsildar,
Office of the Tahsildar,
Hosur. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a writ of mandamus or order or direction in the nature of writ directing the first respondent to issue the field map of the quarry area to the petitioner as per the order dated 19.05.2008 on the file of the first respondent and consequently to execute the tender Agreement in pursuance of the quarry granting order dated 19.05.2008 on the file of the first respondent for five years from the date of the registration of the deed.

For Petitioner : Mr.S.Ramesh Kumar

For Respondents : Mr.K.Balamurugan, Government Advocate

O R D E R

The prayer in the writ petition is for issue of writ of mandamus directing the first respondent to issue the field map of the quarry area to the petitioner as per the order dated 19.05.2008 on the file of the first respondent and consequently to execute the tender Agreement in pursuance of the quarry granting order dated 19.05.2008 on the file of the first respondent for five years from the date of the registration of the deed.

2. In this regard the petitioner has also given a representation to the first respondent on 24.09.2012 and 15.12.2012. Since no orders have been passed on the petitioner's representation he has preferred the present writ petition.

3. Heard both sides.

4. Though the petitioner has sought for a larger relief for a direction to the first respondent to issue the field map and execute the tender agreement, I am of the view that there cannot be such positive direction by this Court exercising its power Under Article 226 of the constitution of India since it is for the first respondent to enquire into the matter with regard to the petitioner's entitlement for a tender agreement in his favour. Nevertheless, it would be appropriate, if the first respondent is directed to consider the petitioner's representation, if not already considered and the same would suffice the claim of the petitioner.

5. Under such circumstances, there shall be a direction to the first respondent to consider the petitioner's representation dated 15.12.2012 on its own merits and pass orders in accordance with law within six weeks from the date of receipt of a copy of this order. Accordingly this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

dpq

To

1. The District Collector
Office of the District Collectorate,
Krishnagiri District.
2. The Assistant Director (Mines)
Krishnagiri District.

3. The Tahsildar,
Office of the Tahsildar,
Hosur.

1 cc to Mr.S. Rameshkumar, Advocate, Sr. 64714
1 cc to Government Pleader, Sr. 64961

W.P.No.11310 of 2013

SV (CO)
kk 7/12



WEB COPY