

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.2209 of 2016
and WMP.No.1902 of 2016

N.Kalaiselvi

... Petitioner

Vs.

The District Collector,
Perambalur District,
Perambalur.

... Respondent

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, to direct the respondent to permit the petitioner to quarry and transport the stones from the leasehold land S.F.No.328/2, Block 25 admeasuring 1.00.0 hectare in Kalpadi (North) Village, Perambalur Taluk and District for a period of 3 years, 8 months and 17 days from the date of issue of transport permit after 28.06.2016 (expiry of the original lease period), within a time frame as fixed by this Court.

For Petitioner : Mr.V.Sanjeevi

For Respondent : Mr.T.N.Rajagopalan

Special Government Pleader.

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of Mandamus, directing the respondent to permit her to quarry and transport the stones from the leasehold land S.F.No.328/2, Block 25 admeasuring 1.00.0 hectare in Kalpadi (North) Village, Perambalur Taluk and District for a period of 3 years, 8 months and 17 days from the date of issue of transport permit after 28.06.2016 (expiry of the original lease period), within a stipulated time.

2.Earlier, the petitioner filed W.P.No.22142 of 2013, seeking for a Writ of Mandamus, for a direction sought for in the writ petition, this Court, by order dated 06.12.2013, while disposing the writ petition gave liberty to the petitioner to ventilate any grievance by way of a representation before the respondent and also observed that if any representation is given, the same should be considered by the respondent on merits and in accordance with law. Though the order passed by this

Court was on 06.12.2013, the petitioner had given the representation only on 15.12.2015. According to the petitioner, the respondent has not considered her representation till today.

3.The learned counsel for the respondent filed the counter in the writ petition disputing the averments made by the petitioner in the affidavit filed in support of the petition.

4.This Court, already granted liberty to the petitioner to give a representation before the respondent and the same was also given to the respondent on 15.12.2015 and hence, I am of the view that the respondent can be directed to dispose of the representation of the petitioner, within a period of ten days. Accordingly, the respondent is directed to consider the petitioner's representation dated 15.12.2015 and pass orders on merits and in accordance with law, within a period of ten days from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is also closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

DP

To

The District Collector,
Perambalur District,
Perambalur.

+1 cc to Mr.V.Sanjeevi Advocate sr.16249
+1 cc to Government Pleader vide sr.16161

W.P.No.2209 of 2016
and
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