

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P.Nos.32178 to 32180 of 2013, 8980 and 8981 of 2014

and

M.P.Nos.1 to 1 of 2013 in W.P.Nos.32178 to 32180 of 2013

W.P.Nos.32178 to 32180 of 2013:

M/s.Nila Mines Private Limited,
137, Pudurpadiapuram,
Tuticorin-628 002,
rep. by its Director C.Selwin Prabhu ..

Petitioner in all WPs

-vs-

- 1.Union of India,
rep. by the Secretary to Government,
Ministry of Mines, Shastri Bhavan,
New Delhi-1.
- 2.The State of Tamil Nadu,
rep. by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai-600 009.
- 3.The Director of Geology and Mining,
Industrial Estate,
Guindy,
Chennai-600 032.
- 4.The District Collector,
Tuticorin,
Tuticorin District.
- 5.The Under Secretary to Government of India,
Ministry of Mines,
New Delhi-1. .. Respondents in all WPs

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W.P.Nos.8980 and 8981 of 2014:

M/s.Nila Mines Private Limited,
137, Pudurpadiapuram,
Tuticorin-628 002,
rep. by its Director C.Selwin Prabhu .. Petitioner in both WPs

-vs-

- 1.Union of India,
rep. by the Secretary to Government,
Ministry of Mines, Shastri Bhavan,
New Delhi-1.
- 2.The State of Tamil Nadu,
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Fort St. George,
Chennai-600 009.
- 3.The Director of Geology and Mining,
Industrial Estate,
Guindy,
Chennai-600 032.
- 4.The District Collector,
Tuticorin,
Tuticorin District. .. Respondents in both WPs

W.P.No.32178 of 2013 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the impugned proceedings of the 5th respondent in No.4/8/2011-M.IV dated 17.10.2013 quash the same and direct the 1st respondent to grant approval for the mining lease to the petitioner in respect of 4.33.0 Hectares of patta land in S.F.No.114/1A in K.Thangammalpuram village, Vilathikulam Taluk, Tuticorin District for a period of 30 years and consequently direct respondents 2 and 3 to grant the mining lease for a period of 30 years.

W.P.No.32179 of 2013 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the impugned proceedings of the 5th respondent in No.4/11/2011-M.IV dated 17.10.2013 quash the same and direct the 1st respondent to grant approval for the mining lease to the petitioner in respect of 4.80.0 Hectares of land in S.F.No.88/1B at Sivaperunkundram village, Vilathikulam Taluk, Tuticorin District for a period of 30 years and consequently direct respondents 2 and 3 to grant the mining lease for a period of 30 years.

W.P.No.32180 of 2013 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the impugned proceedings of the 5th respondent in No.4/13/2009-M.IV dated 17.10.2013 quash the same and direct the 1st respondent to grant approval for the mining lease to the petitioner in respect of 4.80.0 Hectares of land in S.F.No.666 at S.Tharaikudi village, Kadaladi Taluk, Ramanathapuram District for a period of 30 years and consequently direct respondents 2 and 3 to grant the mining lease for a period of 30 years.

W.P.No.8980 of 2014 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the impugned proceedings of the second respondent in Letter No.19523/MMD1/2010-10 dated 14.11.2013 quash the same and direct the second respondent to forward the petitioner's application dated 17.04.2008 for grant of Mining Lease to the first respondent for approval.

W.P.No.8981 of 2014 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the impugned proceedings of the second respondent in Letter No.19521/MMD1/2010-7 dated 14.11.2013 quash the same and direct the second respondent to forward the petitioner's application dated 17.04.2008 for grant of Mining Lease to the first respondent for approval.

For Petitioner : Mr.R.Thiagarajan
in all WPs Senior Counsel
for
Mr.Kalyanaraman for
M/s.Aiyar and Dolia

For Respondents: Mr.Su.Srinivasan
in all WPs Asst. Solicitor General for R1&R5
Mr.T.N.Rajagopalan
Special G.P. for R2&R3
Mr.STS.Moorthy
Government Pleader
assisted by
Mr.V.Shanmugasundar
Govt. Advocate for R4

COMMON ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

These writ petitions have been called for at the joint request made by the learned counsel for parties.

2. In view of the order passed by us today in W.P.No.4240 of 2016 (M/s.Nila Mines Private Limited v. Union of India, rep. by the Secretary to Government, Ministry of Mines, Shastri Bhavan, Dr.Rajendra Prasad Road, New Delhi-110 001 and others), these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government of India,
Ministry of Mines,
New Delhi-1.
- 2.The Secretary to Government,
Ministry of Mines, Shastri Bhavan,
New Delhi-1.
- 3.The State of Tamil Nadu,
rep. by the Principal Secretary to Government,
Industries Department,
Fort St. George,
Chennai-600 009.
- 4.The Director of Geology and Mining,
Industrial Estate,
Guindy,
Chennai-600 032.
- 5.The District Collector,
Tuticorin,
Tuticorin District.

6.The Under Secretary to Government of India,
Ministry of Mines,
New Delhi-1.

+1cc to M/S.Aiyar & Dolia, Advocate, S.R.No.8091

W.P.No32178 to 32180 of 2013
and
8980 & 8981 of 2014

msm(CO)
srg(15/02/2016)



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