

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.A.No.1477 of 2016
and

C.M.P.Nos.18378 & 18379 of 2016

1. The District Collector,
Collectorate Office,
Villupuram District,
Villupuram.
 2. The Assistant Director of Geology & Mines,
Villupuram District,
Villupuram.
 3. The Revenue Divisional Officer,
Villupuram District,
Villupuram.
- ... Appellants/Respondents
- Vs.
- S.Thangammal ... Respondent/Petitioner

Appeal filed under Clause 15 of Letters Patent against the order dated 20.04.2016 made in W.P.No.8163 of 2016 on the file of this Court.

W.P.No.8163 of 2016 : Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent in his Proceedings No.O.Mu.A.B/Geology & Mines/03/2016 dated 3.2.2016 and quash the same and consequently direct the respondent to grant permission to the petitioner to carry on quarrying operation in respect of stone quarry in Survey No.393/1 (Part IIA) extent of 1.41.5 hectares at Malaikotalam Village Villupuram District for which the petitioner was prevented by the respondent for 8 months from 11.07.2011 to 03.04.2012.

For Appellants : Mr.T.N.Rajagopalan
Special Government Pleader

For Respondent : Mr.V.Karthikeyan

JUDGMENT

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

On hearing the learned Special Government Pleader for the appellants, we find that this is a hard case for the respondent, where unfortunately the husband of the respondent passed away and in that process eight months time of the lease remained unutilised, while the learned Single Judge has only granted the time for a period of four and a half months. The learned counsel for the respondent states that he accepts the impugned order and is not seeking any further time period.

2. In the given facts of the case, we are not inclined to entertain the appeal, but leave the question of law open.

3. The writ appeal is dismissed, leaving the parties to bear their own costs. Consequently, C.M.P.Nos.18378 & 18379 of 2016 are also dismissed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate Office,
Villupuram District,
Villupuram.
2. The Assistant Director of Geology & Mines,
Villupuram District, सत्यमेव जयते
Villupuram.
3. The Revenue Divisional Officer,
Villupuram District,
Villupuram.

+1cc to Mr.V.Karthikeyan, Advocate, S.R.No.68874
+1cc to the Government Pleader, S.R.No.68494

W.A.No.1477 of 2016

GJ(CO)
CA(05/12/2016)