

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.8.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.29688 of 2016

P.Ramalingam

...Petitioner

Vs

1.The District Collector, Kanchipuram
District, Kanchipuram.

2.The Assistant Director of Geology &
Mining, Kanchipuram District,
Kanchipuram.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to place the petitioner's application dated 2.9.2009 along with report of the various Departments before the Special Committee under Rule 12 of the Tamil Nadu Minor Mineral Concession Rule, 1959 to grant permission to quarry 3000 lorry loads of savudu in PWD tank comprised in S.No.1256, Sriperumbudur 'C' Village, Sriperumbudur Taluk, Kancheepuram District within the prescribed time limit fixed by this Court.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.S.Diwakar, SGP

ORDER

Mr.S.Diwakar, learned Special Government Pleader accepts notice for the respondents. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The learned Special Government Pleader pointed out that the no objection certificate was given by the Executive Engineer, W.R.D., (PWD), Lower Palar Basin Division, Kanchipuram on 5.10.2009 and the said no objection certificate was valid upto 31.1.2010 and that unless and until the petitioner gets no objection certificate from the Executive Engineer, the matter cannot be placed before the Special Committee.

3. Faced with this situation, the learned counsel for the petitioner submits that the petitioner will move the Executive Engineer and thereafter approach the Authority concerned.

4. In the light of the above, the writ petition is disposed of granting liberty to the petitioner to approach the Executive Engineer, WRD (PWD), Lower Palar Basin Division, Kanchipuram for a fresh no objection certificate and the request shall be considered in accordance with law. It is made clear that if the petitioner is able to obtain a no objection certificate, then the petitioner's application can be placed before the Special Committee and it shall be dealt with in accordance with law. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector, Kanchipuram District,
Kanchipuram.

2.The Assistant Director of Geology & Mining,
Kanchipuram District,
Kanchipuram.

1 cc to Mr.Muthappan, Advocate, sr.48757

1 cc to Government Pleader, sr.48678

WP.No.29688 of 2016

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