

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04.11.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.38447 of 2016

T.Mahendiran

.. Petitioner

Vs

1.The District Collector
Vellore District
Vellore.

2.The Deputy Director of Geology and Mining
O/o The District Collector,
Vellore.

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of mandamus to direct the first respondent to issue necessary proceedings in favour of the petitioner to quarry 2120 Units (1060 lorry loads) of earth soil in PWD tank comprised in S.No.188/1, Sekkanur Village, Anaicut taluk, Vellore District, pursuant to the petitioner's Application dated 05.05.2014, within the prescribed time limit fixed by this Court.

For Petitioner

: Mr.M.Muthappan

For Respondents

: Mr.S.Diwakar

Special Government Pleader

O R D E R

Heard Mr.M.Muthappan, learned Counsel appearing for the petitioner and Mr.S.Diwakar, learned Special Government Pleader appearing on behalf of the respondents and with the consent of learned counsel appearing on either side, this writ petition itself is taken up for final disposal.

2.In this Writ Petition, the petitioner seeks for issuance of a writ of mandamus to direct the first respondent to issue necessary proceedings in his favour to quarry 2120 Units (1060 lorry loads) of earth soil in PWD tank comprised in S.No.188/1, Sekkanur Village, Anaicut taluk, Vellore District, pursuant to his Application dated 05.05.2014.

3.The learned counsel appearing for the petitioner submitted that the petitioner has obtained Environmental Clearance vide proceedings dated 23.10.2015 and the Application is complete in all respects and may be directed to be placed before the Special Committee.

4.The learned Special Government Pleader on the other hand would submit that the Revenue Authority have also to submit their Report and only after the Application is complete in all respects, the Application can be placed before the District Committee.

5.In the light of the above, there will be a direction to the first respondent to verify the petitioner's Application and if the Application is complete in all respects along with the report, then the Application shall be placed before the District Committee cum Chairmanship of the first respondent, as per the amended Rule 12 of the Tamil Nadu Minor Mineral Concession Rules, 1959, for scrutinizing the Application and for getting its recommendations and thereafter pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed on the above terms. No costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

Rpa

WEB COPY

To

1.The District Collector
Vellore District
Vellore.

2.The Deputy Director of Geology and Mining
O/o The District Collector,
Vellore.

+ 1 CC to Mr.M.Muthappan, Advocate SR NO 62920

+ 1 CC to Govt. Pleader SR NO 63300

W.P.Nos.38447 of 2016

NM[CO]
GP/18/11



WEB COPY