



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.19471 of 2016
and
W.M.P(MD)Nos.14036 & 14037 of 2016

Dr.P.Chandrasekar

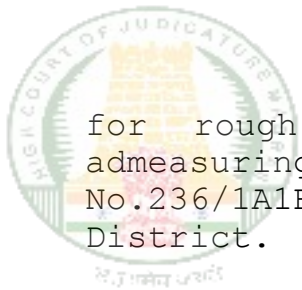
... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. By its Secretary,
Department of Environment and Forest (EC3),
Fort St. George, Chennai - 600 009.
2. The Commissioner,
Department of Geology and Mining,
Guindy, Chennai - 600 032.
3. The District Collector,
Nagercoil, Kanyakumari District.
4. The Assistant Commissioner,
The Department of Geology and Mines
Nagercoil, Kanyakumari District.
5. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.
6. The District Forest Officer,
Nagercoil, Kanyakumari District.
7. The Executive Engineer,
Department of Agricultural Engineering,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 2nd respondent Commissioner in R.C.No.9771/MM9/2015, dated 24.06.2016, quash the same and further direct the 2nd and 3rd respondents to give licence to the petitioner



for rough stone quarry to the petitioner's own patta land admeasuring an extent of 13.33.00 Hectares (32.94 Acres) in Survey No.236/1A1B at Surulacode Village, Kalkulam Taluk, Kanyakumari District.

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For Petitioner : Mr.T.Cibi Chakraborty
For Respondents: Mr.N.S.Karthikeyan,
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition challenging the order passed by the Director of Geology and Mining under Rule 36(C) (2) of the Tamil Nadu Minor Mineral Concessions Rules, 1959.

2. Against the order passed by the Director of Geology and Mining under Section 36(C)(2) of the Tamil Nadu Minor Mineral Concessions Rules, 1959, further appeal is provided before the State Government under Section 36(C)(3) of the Rules and hence, the petitioner cannot maintain a Writ Petition.

3. In the result, this Writ Petition is dismissed. However, liberty is given to the petitioner to file an appeal before the Government, within a period of two weeks from the date of receipt of a copy of this order. On such appeal being filed, the Government should consider that appeal and pass appropriate orders on the same, on merits and in accordance with law, within a period of three months thereafter. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamilnadu,
Department of Environment and Forest (EC3),
Fort St. George, Chennai - 600 009.
2. The Commissioner,
Department of Geology and Mining,
Guindy, Chennai - 600 032.
3. The District Collector,
Nagercoil, Kanyakumari District.



4. The Assistant Commissioner,
The Department of Geology and Mines
Nagercoil, Kanyakumari District.

5. The Revenue Divisional Officer,
Padmanabhapuram,
Kanyakumari District.

6. The District Forest Officer,
Nagercoil, Kanyakumari District.

7. The Executive Engineer,
Department of Agricultural Engineering,
Nagercoil, Kanyakumari District.

+ 1 CC TO Mr.T.CIBI CHAKRABORTHY, ADVOCATE IN SR No. 59985

PM

TE/KM : 07/11/2016 : 3P/9C

W.P (MD) No.19471 of 2016

and

W.M.P (MD) Nos.14036 & 14037 of 2016

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