



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.02.2016

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No.1995 of 2016

A.Nigilesan

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Assistant Director (Geology & Mines),
District Collector's Office,
Thoothukudi District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to pass orders on the petitioner's application, dated 25.11.2014 filed under Rule 8 of the Tamil Nadu Minor Minerals Concession Rules 1959, within a time stipulated by this Court.

For Petitioner : Mr.F.Deepak
For Respondents : Mr.S.Satheeshkumar,
Additional Government Pleader

ORDER

Mr.S.Satheeshkumar, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the first respondent to pass orders on the petitioner's application, dated 25.11.2014 filed under Rule 8 of the Tamil Nadu Minor Minerals Concession Rules 1959, within a stipulated time.

4. The case of the petitioner is that the petitioner is the owner of the land in Survey No.1130/2 and 1131/1 measuring to an extent of 2.68.50 hectares situated in Padmanabhamangalam Village, Srivaikundam Taluk, Thoothukudi District and the Government grants licence for mining lease to quarry rough stones, gravel and jelly. The petitioner made an application for grant of license for quarrying operation under Rule 8 of the Tamil Nadu Minor Minerals Concession Rules 1959 to the first respondent on



25.11.2014 and he had also paid necessary fee for the same. Thereafter, there is no progress in the application filed by the petitioner. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. It is also stated that the Tahsildar, Srivaikundam has also filed his report along with necessary details as required by the second respondent. Therefore, there is no impediment for the first respondent to consider the application of the petitioner, dated 25.11.2014.

6. Therefore, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the application of the petitioner, dated 25.11.2014 in the light of the Tamil Nadu Minor Minerals Concession Rules 1959 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Thoothukudi District.

2. The Assistant Director (Geology & Mines),
District Collector's Office,
Thoothukudi District.

+One cc to M/s. F. Deepak, Advocate, SR.No.6369

+One cc to the Special Government Pleader, SR.No.6399

pm

RL/5C/AAL/MPA/10/2/2016

WP (MD) No.1995 of 2016

01.02.2016