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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.4259 of 2016

and

W.M.P (MD) No.3794 of 2016

P.Chandrasekar

... Petitioner

Vs.

The Commissioner,
Department of Geology and Mining
Guindy, Chennai 600 032.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Commissioner of Geology and Mining to consider and pass orders forthwith on the petitioners Appeal dated 05.11.2015 filed against the order of the District Collector in Rc.No.501/G&M/2015 dated 25.10.2015.

For Petitioner	: Mr.T.Cibi Chakraborty
For Respondent	: Mr.G.Muthukannan, Government Advocate.

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus, to direct the Commissioner of Geology and Mining to consider the petitioner's appeal dated 05.11.2015 filed against the order of the District Collector in Rc.No.501/G&M/2015 dated 25.10.2015.

2.Heard the learned counsel for the petitioner. Mr.G.Muthukannan, learned Government Advocate takes notice for the respondent.

3.According to the petitioner, he is the owner of the land in S.No.236/1A1B at Surulacode Village, Kalkulam Taluk, Kanyakumari District who submitted an application under Rules 19 and 22 of the Tamil Nadu Minor and Mineral Concession Rules 1959 seeking permission to quarry rough stone for agricultural purposes. The said application was rejected by the District Collector, Kanyakumari District on 25.10.2015. Aggrieved over the same, an appeal has been preferred under Rule 36C of the Tamil Nadu Minor Mineral Concession Rules, 1959 before the respondent herein which is still pending. Hence, the petitioner has come up with the above writ petition.

4.Considering the above facts and circumstances and without going into the merits of the case, the writ petition is disposed of directing the respondent to consider the appeal and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, W.M.P (MD) No.3794 of 2016 is closed.



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Sd/-
Assistant Registrar (AE)

Sub Assistant Registrar

To
The Commissioner,
Department of Geology and Mining
Guindy, Chennai 600 032.

+1 CC to the Special Government Pleader, SR No.12125
+1 CC to M/s.Issac Mohanlal, Advocate, SR No.12172

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sms
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