



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2016

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

W.P.(MD)No.7940 of 2016

P.Madhavaraj

.. Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Assistant Director,
Geology and Mining,
Tuticorin District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to extend the lease period of the petitioner for 563 days, the non operative /unutilized period from 12.03.2013 to 27.09.2014 for conducting quarry operation in petitioner's patta land measuring an extent of 1.31.5 hectares comprising in S.No.321/1C (0.27.5 Hects), 322/1B (0.66.5 Hects) & 322/2A (0.37.5 Hects) of Akilandapuram Village of Kovilpatti Taluk, Thoothukudi District and consequently direct the 1st and 2nd respondents to issue transport permit to the petitioner for the said period.

For Petitioner

... Mr.K.Samidurai

For respondents

... Mr.G.Muthukannan,
Government Advocate

ORDER

Mr.G.Muthukannan, learned Government Advocate, takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

2.Heard the learned counsel appearing on either side.

3.The petitioner, who is the owner of the land measuring an extent of 1.31.5 hectares comprising in S.Nos.321/1C, 322/1B and 322/2A of Akilandapuram Village, Kovilpatti Taluk, Tuticorin District, had obtained lease for a term of five years between 25.07.2011 to 24.07.2016 for conducting quarry operation. The grievance of the petitioner is that during the currency of lease period, he could not make quarry operation for 563 days due to ~~land acquisition problem~~ and also due to non issuance of transport permit for those period by the respondents. Seeking extension of lease



for non operative period i.e., for 563 days, the petitioner had sent a representation to the first respondent on 19.04.2016. As there was no response to the same, the petitioner has come up with this writ petition.

4. Considering the limited relief sought for by the petitioner, this Court, without going into the merits of the claim of the petitioner, directs the first respondent to consider the representation of the petitioner, dated 19.04.2016 and pass orders on the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

5. The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

gcg

To

1. The District Collector,
Tuticorin District,
Tuticorin.

2. The Assistant Director,
Geology and Mining,
Tuticorin District.

+1 cc to Special Government Pleader, Sr No.24202

rg.17.05.2016 2p/4c

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