



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2016

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.(MD)No.7981 of 2016

and

W.M.P.(MD).No.6532 of 2016

P.Chellaganesan

.. Petitioner

Vs.

1.The Director of Geology and Mining,
Guindy, Chennai.

2.The District Collector,
Thoothukudi District,
Thoothukudi.

3.The Assistant Director,
Geology and Mining,
Collector Office Campus,
Thoothukudi.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to issue permit Chit (Isaivanai Seettu) to the petitioner for transporting Quartz and Quartzite from his quarry situated in S.No.555/2B, measuring 4.26.5 hectare of Ottapidaram Village and Taluk, Thoothukudi District to other place.

For Petitioner

... Mr.R.Subramanian

For respondents

... Mr.S.Sadeshkumar,
Addl.Government Pleader

ORDER

Mr.S.Sadeshkumar, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/> 2.Heard the learned counsel appearing on either side.



3.The petitioner, who has been granted mining lease for 20 years commencing from 2006 in respect of the property in Survey No.555/2B measuring 4.26.6 Hectares of Ottapidaram Village, Tuticorin District, under the Mines and Minerals (Regulation and Development) Act, 1957, has approached this Court stating that the third respondent stopped issuing the transport permit chit from September, 2015, on the ground that there was dispute with respect to the title of the petitioner. The petitioner also had been making repeated representations to the authorities to issue permit chit and last of such representation was on 13.04.2016. 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 third respondent to consider the representation of the petitioner, dated 13.04.2016 and after affording an opportunity of personal hearing, pass 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.

5.This Writ Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1.The Director of Geology and Mining, Guindy, Chennai.

2. The District Collector,
Thoothukudi District, Thoothukudi.

3. The Assistant Director,
Geology and Mining, Collector Office Campus, Thoothukudi.

+1cc to M/s.R.Subramanian, Advocate, Sr.No.23545

+1cc to the Special Government Pleader, Sr.No.23604

gcg

JM/17.05.2016/2P-6C