

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2017

CORAM :

The Hon'ble MR.JUSTICE K.RAVICHANDRA BAABU

W.P. No.5057 of 2017

D.Rajendran

... Petitioner

-vs-

1.The District Collector,  
Cuddalore District,  
Collectorate, Cuddalore.

2.The Assistant Director of  
Geology and Mining,  
Cuddalore.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1<sup>st</sup> respondent to amend the period of lease at Page 5, Clause 8 of the Lease Deed dated 21.8.2015, the end of the period of lease as 20.8.2017 instead of 31.3.2017 as per the Representation of the Petitioner dated 28.1.2017 in respect of the gravel quarry situated in S.No.395/2A, 395/2B1, 395/2B2 and 395/2B3 - Patta lands to an extent of 4.40 .0 hectares in Ramapuram Village, Cuddalore Taluk, Cuddalore District.

For Petitioner : Mr.K.R.Krishnan

For Respondents : Mr.C.Jagadish  
Spl. Govt. Pleader

O R D E R

The petitioner seeks for a mandamus directing the first respondent to amend the period of lease in the lease deed dated 21.08.2015 as per his representation dated 28.01.2017 in respect of gravel quarry situated in S.No.395/2A, 395/2B1, 395/2B2 and 395/2B3 - Patta lands to an extent of 4.40.0 hectares in Ramapuram Village, Cuddalore Taluk, Cuddalore District.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3.The case of the petitioner is as follows:

The petitioner applied for grant of lease for quarrying gravel in the above said land and the first respondent granted such lease through proceedings dated 21.8.2015 for a period of two (2) years and however, while executing the lease deed, the expiry date of lease was wrongly mentioned as 31.03.2017 instead of 20.08.2017. According to the petitioner, the two years period of lease granted by the first respondent has to commence and complete from the date of execution of the sale deed till the date of completion of two (2) years from such date of execution. Therefore, the petitioner sought for correction of the said date of expiry of lease in the lease deed, through the said representation dated 28.01.2017.

4.The learned counsel appearing for the petitioner submitted that the said representation, originally given on the said date, was once again sent by a registered post on 25.02.2017. It is his further contention that the first respondent has not considered the request of the petitioner so far.

5.Considering the above facts and circumstances and without expressing any view on the claim made by the petitioner, I direct the first respondent to consider the representation of the petitioner and pass orders on the same on merits and in accordance with law within a period of two (2) weeks from the date of receipt of a copy of this order.

6.Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1.The District Collector,  
Cuddalore District,  
Collectorate, Cuddalore.

2.The Assistant Director of  
Geology and Mining,  
Cuddalore.

+lcc to Mr.K.R.Krishnan, Advocate Sr.16644

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srg 22/03/2017



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