

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.01.2017

Coram

THE HONOURABLE MR. JUSTICE RAJIV SHAKDHER

W.P.No.469 of 2017

and WMP No.499 of 2017

M/s.Chettinad Cement Corporation Ltd.,
rep. by its Company Secretary-Mr.S.Hariharan,
Rani Seethai Hall Building,
No.603, Anna Salai,
Chennai- 600 006.

.. Petitioner

vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Industries Department,
Fort St. George,
Chennai-600 009.

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

3. The District Collector,
Ariyalur District, Ariyalr.

.. Respondents

* * *

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus or any other writ, or order or direction in the nature of Writ, directing the first respondent to grant the Mining Lease in favour of the petitioner in respect of Patta lands totally measuring 32.61.0 hectares, comprised in Survey Nos.153, 160 and 162 etc., situated in Periyathirukonam Village, Ariyalur Taluk, Ariyalur District, as per petitioner's application dated 24.07.2009, by dispensing with the production of Approved Mining Plan and the Environment Clearance Certificated.

* * *

For Petitioner : Mr.K.Ramakrishna Reddy

For Respondents : Mr.C.Jagadish
Special Government Pleader (Taxes)

ORDER

1. I am informed by both the learned counsel for the petitioner as well as Mr.C.Jagadish, learned Special Government Pleader, who appears on behalf of the respondents, that the

petitioner has obtained a mining plan from the concerned authority.

2. In these circumstances, the third respondent will execute a mining lease, in favour of the petitioner, subject to the caveat that no mining activity will be carried out, till such time, the environmental clearance certificate is obtained under the provisions of the Environment (Protection) Act, 1986, in consonance with Gazette Notification No.26, dated 04.01.2017.

3. Learned counsel for the respondents says that in view of the aforementioned observation of this Court, the writ petition can finally be disposed of, based on the aforementioned condition.

4. The captioned writ petition is, accordingly, disposed of. Resultantly, connected miscellaneous petition is closed. No costs.

5. The petitioner, however, will bear in mind, the directions issued by the Court, which are recorded hereinabove.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.

The State of Tamil Nadu,
Industries Department,
Fort St. George,
Chennai-600 009.

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

3. The District Collector,
Ariyalur District, Ariyalur.

+1 cc to M/s.K.Ramakrishna Reddy Advocate sr 2383

W.P.No.469 of 2017
and WMP No.499 of 2017

aa10/01/2017