

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.9855 of 2017

M.Kalidoss

... Petitioner

Vs

The District Collector
Kanchipuram District
Kanchipuram

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to forward the application the petitioner dated 11.7.2012 for removal of 5000 Lorry Loads of Savadu in S.F. No.192 (P) P.W.D. Tank Kondamangalam Village Chingleput Taluk Kanchipuram District duly approved by the SE IAA on 22.4.2014 before the Special Committee formed under the Amended Rule 12 of the Tamil Nadu Minor Mineral concession Rules 1959 for getting necessary orders for approval.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.C.Jagadish,
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and Mr.C.Jagadish, learned Special Government Pleader for the respondent and perused the materials available on record.

2. The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondent to forward his application dated 11.7.2012 for removal of 5000 Lorry Loads of Savadu in S.F. No.192 (P) P.W.D. Tank, Kondamangalam Village, Chingleput Taluk, Kanchipuram District, duly approved by the SE IAA on 22.4.2014 before the Special Committee formed under the Amended Rule 12 of the Tamil Nadu Minor Mineral Concession Rules 1959, for getting necessary orders for approval.

3. Mr.C.Jagadish, learned Special Government Pleader, appearing for the respondent submitted that the Tamil Nadu

Minor Mineral Concession Rules and the procedure followed have been amended for considering such applications.

4. The learned counsel appearing for the petitioner submitted that an identical issue was considered in a batch of cases in W.P.No.28019 of 2015 etc., batch dated 20.04.2016 (J.Subramani vs. The District Collector, Thiruvallur District, Thiruvallur) and this Court issued certain directions to the District Collector.

5. Further, it is submitted by the learned Special Government Pleader that a Special Committee has been constituted and apart from that the place chosen by the petitioner should find a place in the list prepared for granting permission to quarry Savadu.

6. Thus, following the directions issued in W.P.No.28109 of 2015, this writ petition is disposed of by issuing a direction to the 1st respondent, the District Collector, Kanchipuram District, to place the eligible applications before the Special Committee, as per the amended Rule 12 for scrutinizing the application and for getting its recommendations and thereafter, pass appropriate orders. However, it is open to the District Collector to place the petitioner's application dated 11.07.2012, before the Special Committee and based on the recommendations of the Special Committee, the District Collector may pass orders on the application. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The District Collector
Kanchipuram District
Kanchipuram

+1cc to Mr.M.Muthappan, Advocate, S.R.No.68582

W.P.No.9855 of 2017

MR(CO)
CA(21/09/2017)