

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.15641 of 2017

G.Bakayaraj

...Petitioner

Vs.

1.The District Collector
Kancheepuram District,
Kancheepuram.

2.The Asst. Director of Geology and Mining
O/o.District Collector
Kancheepuram.

.. Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to place the petitioner's application along with report of the statutory authorities before the Special Committee constituted under Rule 12 of TNMMC Rules 1959 for getting recommendation from the committee and grant permission to quarry 2000 lorry loads of Savudu in PWD tank comprised in S.No.264 of Vallakottai Village, Sriperumbudur Taluk, Kancheepuram District.

For Petitioner : Mr.M.Muthappan

For Respondent : Mr.C.Jagdish
Special Government Pleader

सत्यमेव जयते
O R D E R

Mr.C.Jagdish, learned Special Government Pleader, takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a Mandamus directing the respondents to place the petitioner's application along with report of the statutory authorities before the Special Committee constituted under Rule 12 of TNMMC Rules 1959 for getting permission to quarry 2000 lorry loads of Savudu in PWD tank comprised in S.No.264 of Vallakottai Village, Sriperumbudur

Taluk, Kancheepuram District.

3. The learned Special Government Pleader appearing for the respondents submitted that a Special Committee has been constituted and therefore, the first respondent will forward the petitioner's application to the Special Committee within the time stipulated by this Court.

4. The learned counsel for the petitioner invited this Court's attention to the order passed in similar case in WP.No.22313 of 2016 dated 29.06.2010.

5. Upon hearing the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and considering the limited scope of the prayer sought for in this writ petition and also by considering the earlier order passed by this Court in WP.No.22313 of 2016 dated 29.06.2010, this writ petition is disposed of, by directing the first respondent to place the petitioner's application before the Special Committee as per the amended Rule 12 for scrutinizing the said application and for getting its order, if the application is otherwise eligible for such reference and is in order, within a period of four weeks from the date of receipt of a copy of this order. After getting an order from the Committee, it is open to the District Collector to pass consequential appropriate order in accordance with law, within a period of four weeks thereafter. It is made clear, that this Court, is not expressing any view on the claim made by the petitioner, as it is for the concerned authority to consider and decide the same. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The District Collector
Kancheepuram District,
Kancheepuram.

2.The Asst. Director of Geology and Mining
O/o.District Collector
Kancheepuram.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.43693

W.P.No.15641 of 2017

AD(CO)
CS/28/06/17



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