

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.Nos.17109 and 17110 of 2017

Siva Blue Metals ...Petitioner in both WPs
Rep by Managing Partner
R.Ananda Maheswaran
No.9 Toovipuram 8th Street
Thoothukudi- 628 003

Vs

The Government of Tamilnadu
Rep by Principal Secretary
Industries Department
Fort St. George Chennai-09 ...Respondent in both WPs

Writ Petition No.17109 of 2017 filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to hear and dispose of the Second Appeal filed on 19.12.2013 against the order of the Commissioner of the Geology and Mining passed in 7456/ MM9/ 2013 dated 13.11.2013 upholding the order of the District Collector Thoothukudi passed in Ref. G.M.1/MN/11/ 2011 dated 26.07.2012 with regard to the quarry lease application of the petitioner dated 27.1.2011 for the patta land bearing S.F. Nos.751 752 753 and 754 admeasuring 21.51.0 Hectares in Padmanabamangalam Village Srivaikundam Taluk Thoothukudi District on merits within the time frame fixed by this Court.

Writ Petition No.17110 of 2017 directing the respondent to hear and dispose of the Second Appeal filed on 19.12.2013 against the order of the Commissioner of the Geology and Mining passed in 7455/ MM9/ 2013 dated 13.11.2013 upholding the order of the District Collector Thoothukudi passed in Ref. G.M.1/MN/17/ 2011 dated 26.07.2012 with regard to the quarry lease application of the petitioner dated 15.2.2011 for the patta land bearing S.F. Nos.723/1 723/2 729/1 740/1 and 740/2 admeasuring 5.92.0 Hectares in Padmanabamangalam Village Srivaikundam Taluk Thoothukudi District on merits within the time frame fixed by this Court.

For Petitioner : Mr.V.Sanjeevi (both WPs)

For Respondent : Mr.R.Rajeswaran, SGP(both WPs)

COMMON ORDER

Mr.R.Rajeswaran, learned Special Government Pleader, takes notice for the respondent. By consent, the main writ petitions are taken up for hearing at the admission stage itself.

2. The petitioner has filed the above writ petitions to issue writs of mandamus directing the respondent to dispose of the Second Appeals filed on 19.12.2013 against the orders of the Commissioner of the Geology and Mining dated 13.11.2013 upholding the orders of the District Collector, Thoothukudi dated 26.07.2012 with regard to the quarry lease applications of the petitioner dated 27.1.2011 for the patta land bearing S.F. Nos.751, 752, 753 and 754 measuring 21.51.0 Hectares and S.F. Nos.723/1, 723/2, 729/1, 740/1 and 740/2 measuring 5.92.0 Hectares respectively in Padmanabamangalam Village, Srivaikundam Taluk, Thoothukudi District, within a time frame.

3. Mr.V.Sanjeevi, learned counsel for the petitioner submitted that though the petitioner has filed appeals as early as on 19.12.2013, the same has not yet been disposed of.

4. Mr.R.Rajeswaran, learned Special Government Pleader, appearing for the respondent submitted that the 1st respondent may be directed to dispose of the appeals in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the writ petitions, without expressing any opinion with regard to the merits of the case, I direct the respondent to dispose of the appeals filed by the petitioner on 19.12.2013, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above observation, the writ petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

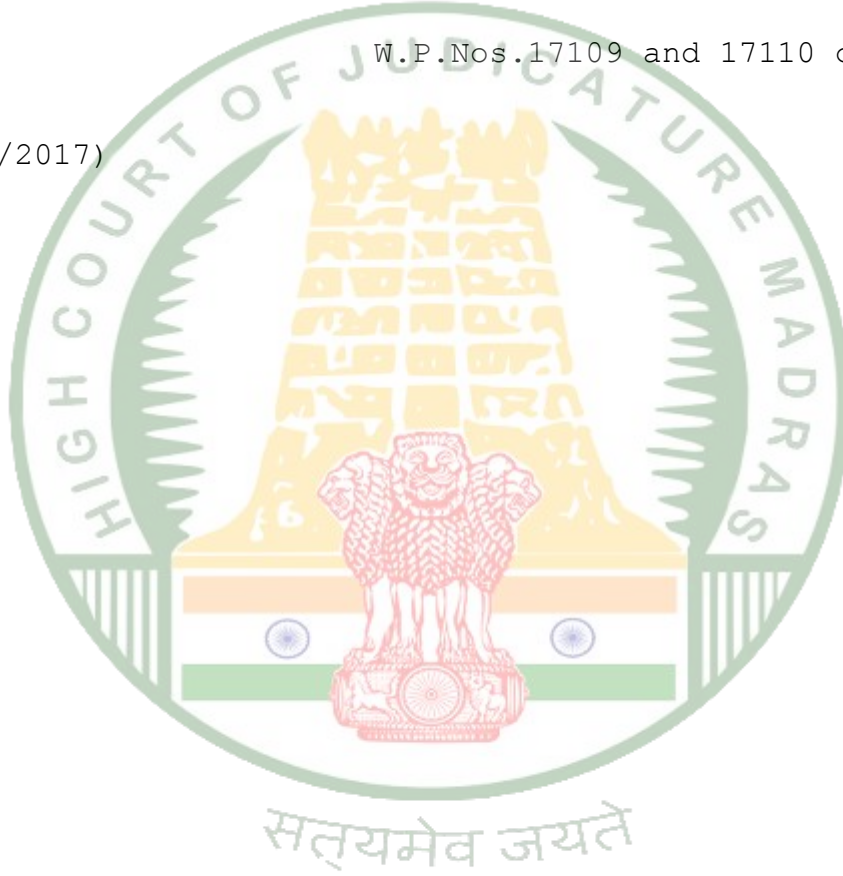
To
The Principal Secretary
The Government of Tamilnadu
Industries Department
Fort St. George Chennai-09

+1cc to Mr.V.Sanjeevi,Advocate sr.47040

+1cc to Government Pleader sr.47288

W.P.Nos.17109 and 17110 of 2017

kj (co)
ss (19/7/2017)



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