

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 03.01.2017

DELIVERED ON : 15.03.2017

Coram

The Honourable Mr. Justice RAJIV SHAKDHER

Writ Petition Nos.36205 to 36207 of 2015

1 Riverways Mines and Minerals Limited
Rep. by its Director
K.Balasubramanian
6/9 Kasturi Estate 3rd Street
Poes Garden Chennai-86.
..... Petitioner

Vs

1 The State of Tamil Nadu
Rep. by its Secretary to Government
Industries Department Fort St. George
Secretariat Chennai-9.
2 The District Collector
Tiruchirappalli District Tiruchirappalli.
3 Thiru. C.V.Shankar I.A.S.
Additional Chief Secretary to Government
Industries Department Fort St. George
Secretariat Chennai-9.
4 Additional Chief Secretary to
Government Industries Department Fort St.
George Secretariat Chennai-9.

..... Respondents

PETITIONs filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the 4th Respondent in G.O.Ms.Nos.262, 260 and 263 dated 02.11.2015 and quash the same and direct the Respondents to execute the lease deed in accordance with the G.O.Ms.Nos.69, 70 and 43 Industries (MMD1) Department dated 27.09.2010, 29.12.2010 and 27.12.2010 in a time bound manner.

For Petitioner : Mr.Wilson, S.C.
for Mr.Richardson Wilson

For Respondents : Mr.R.Muthukumarasamy,
Advocate General
Assisted by Mr.S.Diwakar

O R D E R

1. In view of the decision rendered in W.P.No.36204 of 2015. the captioned Writ Petitions, which have been filed by Riverways Mines and Minerals Limited, will have to be allowed, as it is the common stand of counsels for both parties that, save and except, the number of the impugned G.O and the description of the lease land in issue, all other circumstances are similar to those articulated in W.P.No.36204 of 2015.

2. Therefore, applying the decision rendered in W.P.No.36204 of 2015, the impugned orders, i.e., G.O.Ms.Nos.262, 260 and 263 of even date, i.e., 02.11.2015 are set aside.

3. The first respondent/State Government is directed to reconsider the case of the petitioner, in the light of the notification dated 11.07.2016, after taking into account, the observations made by the Central Government and the concerned departments, which would include DAE and AERB.

4. The captioned writ petitions are allowed in terms of judgment passed in W.P.No.36204 of 2015. Resultantly, pending miscellaneous applications shall stand closed as well. There shall, however, be order as to costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1.The Secretary, Industries Department,
Government of Tamil Nadu,
Secretariat, Fort St. George
Chennai-600 009.

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2.The District Collector,Tiruchirappalli District
Tiruchirappalli.

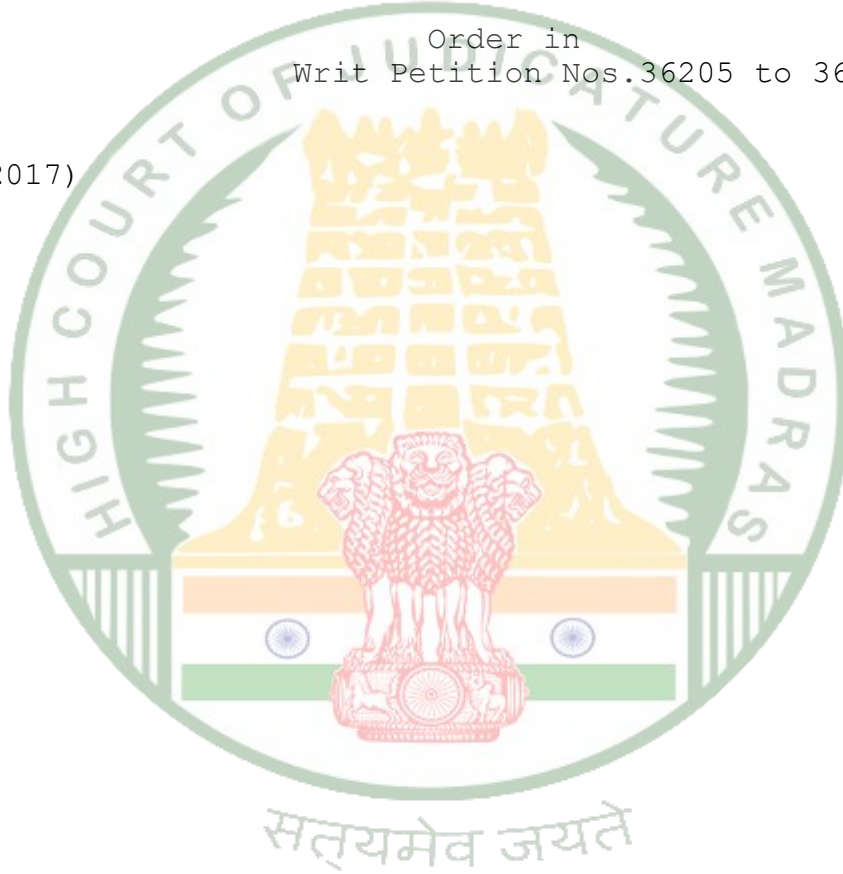
3.The Additional Chief Secretary to Government,
Industries Department, Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.

+1cc to M/S. Richardson Wilson, Advocate Sr. 16822

+3cc to the Government Pleader Sr. 16517, 16521, 16520

Order in
Writ Petition Nos.36205 to 36207 of 2015

KS(CO)
VR(11/04/2017)



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