



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2017

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.1191 of 2017

Nagarajan

... Petitioner

Vs.

1. The Chief Secretary to Government,
Secretariat, Chennai.

2. The Secretary to Government,
Department of Mines and Industries,
Secretariat, Fort St.George,
Chennai - 9.

3. The District Collector,
Madurai.

4. The Assistant Director of Geology and Mines,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to dispose of the petitioner's application dated 29.02.2016 in the light of the Rule 27 of Minerals Concessions Rules, 2016 within a time to be fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.B.Pugalendhi
Additional Advocate General

ORDER

This writ petition has been filed for issuance of writ of Mandamus directing the respondents to dispose of the petitioner's application, dated 29.02.2016 in the light of the Rule 27 of Minerals Concessions Rules, 2016 within a stipulated time to be fixed by this Court.

2.Heard the learned counsel for the petitioner; the learned Government Advocate for the respondents and perused the materials available on record.



3.The case of the petitioner is that he applied for mining lease with the respondents 3 and 4 through application dated 29.02.2016 and the same was forwarded to the Director of Rural Development at Chennai and he returned the said application through his proceedings dated 26.09.2016 for certain compliance. After complying the same, the petitioner re-presented the application immediately, but the respondents 3 and 4 had not taken any action so far.

4.Today, when the matter came up for hearing, the learned Additional Advocate General would submit that as per Rule 27 of the Minerals Concession Rules, 2016, the Government is the authority to grant license and all efforts has been taken and report has already been sent to the Government for passing appropriate orders. The District Collector has also made recommendation to the Government by his proceedings in ROC No.217/2016, Mines, dated 28.01.2017. He would state that if further time is granted, the Government will pass appropriate orders.

5.In view of the submission made by the learned Additional Advocate General, the Government is directed to pass orders on the application of the petitioner dated 29.02.2016, advertng to the merits of the matter, within a period of eight weeks from the date of receipt of a copy of this order, as per Rule 27 of the Minerals Concession Rules, 2016.

6.With the above observations and directions, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To,

1. The Chief Secretary to Government,
Secretariat, Chennai.
2. The Secretary to Government,
Department of Mines and Industries,
Secretariat, Fort St.George,
Chennai - 9.

3. The District Collector,
Madurai.



4. The Assistant Director of Geology and Mines,
Madurai.

+1cc to Mr.B.Prahalad Ravi, Advocate Sr.No.53737

+1cc to Spl.Government Pleader Sr.No.53916

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vb/jc/04.05.2017/3p/7c

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