

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 04.08.2017****CORAM:****THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P(MD) No.13925 of 2017**

M.Ramajeyam

... Petitioner

-vs-

1. The District Collector,
Trichy District, Trichy.

2. The Assistant Director,
Geological and Mining Department,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 31.10.2016 for extension of lease quarry blue metal in S.F.No.358/1 of Nagalapuram Village, Thuraiyur Taluk, Trichy District.

For Petitioner : Mr.AN.Ramanathan

For Respondents : Mr.M.Alagathevan
Spl. Govt. Pleader

ORDER

This writ petition has been filed, seeking to direct the respondents to consider the petitioner's representation dated 31.10.2016 for extension of lease quarry blue metal in S.F.No.358/1 of Nagalapuram Village, Thuraiyur Taluk, Trichy District.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that he entered into an agreement with the 1st respondent on 04.06.2012 for quarrying blue metal and Sholing (Mine and Mineral) till 03.06.2017. Since the respondents have not issued the bulk transport permit to the petitioner, he has not conducted any quarry operations in the site



till now. Hence, the petitioner sought for extension of lease period, by way of submitting a representation dated 31.10.2016 to the respondent and as the same did not evoke any response, he is before this Court with the above prayer.

4. At this juncture, learned Special Government Pleader has contended that the petitioner has violated certain conditions of the agreement, which resulted in imposition of penalty to him by the 2nd respondent, vide his proceedings dated 04.06.2016 in Na.Ka.A3/3622/2015, against which an appeal has been preferred by the petitioner and the same is pending before the first respondent.

5. Though the petitioner has filed this writ petition seeking a direction to the respondents for extension of lease period, considering the fact that the appeal filed by the petitioner is pending before the first respondent, this Court directs the first respondent/District Collector, who is said to be the Appellate Authority in this matter, to consider the appeal and dispose of the same, if not already disposed of, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Trichy District, Trichy.
2. The Assistant Director,
Geological and Mining Department,
Tiruchirappalli.

+1cc to Spl.Government Pleader Sr.No.71305
+1cc to Mr.AN.Ramanathan, Advocate Sr.No.70772

AR/RM

VB/SKN/RSK/SAR3/16/08/2017/2P/5C