



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.15726 of 2017

P.Ochu @ Jeyapaul

... Petitioner

-vs-

1. The District Collector,
Madurai District,
Madurai.

2. The Assistant Director,
Department of Geology and Mines,
Collectorate, Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent No.1 to dispose of the petitioner's application in File No.275/2013 pending before the 1st Respondent office and grant lease for quarrying gravel in the land in S.No.487/1, Thimmanatham Village, Usilampatti Taluk, Madurai District in accordance with the Rule 20 of the Tamil Nadu Minor Mineral Concession Rules, 1959 within the time period stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Lajapathi Roy.

For Respondents : Mr.S.Kumar.

Addl. Govt. Pleader.

O R D E R

This Writ Petition has been filed, seeking a direction to the respondent No.1 to dispose of the petitioner's application in File No.275/2013 pending before the 1st Respondent office and grant lease for quarrying gravel in the land in S.No.487/1, Thimmanatham Village, Usilampatti Taluk, Madurai District in accordance with the Rule 20 of the Tamil Nadu Minor Mineral Concession Rules, 1959.

2. The case of the petitioner is that he has submitted an application to the first respondent for consideration of grant of lease for quarrying gravel way back in the year 2013 and its non



consideration forced the petitioner to approach this Court by way of this writ petition.

3. Per contra, the learned Additional Government Pleader has contended that no such application is pending with the first respondent and there is no justification with the petitioner in insisting upon the first respondent to consider his claim without producing any material documents in support thereof.

4. Under such circumstances, in order to quietus to the issue, this petition is disposed of with a direction to the petitioner to produce all the required documents along with a copy of his earlier application as well as a copy of this order to the first respondent, within a period of two weeks from the date of receipt of a copy of this order and upon such production, the same shall be considered and necessary orders passed by the first respondent, within a period of four weeks thereafter, after affording an opportunity of hearing to the petitioner. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Madurai District,
Madurai.
2. The Assistant Director,
Department of Geology and Mines,
Collectorate,
Madurai.

+1cc to M/S. T.LAJAPATHI ROY, Advocate, SR.No.74319.

+1cc to Special Government Pleader, SR.No.74249.

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ar/rm

SDS/SKN:RSK/SAR 3/31.08.2017/2P/5C