



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.2818 of 2017

WEB COPY

A.Thangasamy

.. Petitioner

Vs.

1.The State of Tamil Nadu rep by its
Secretary, Industries Department,
Fort St. George, Chennai - 9.

2.The Director of Geology and Mining,
Guindy, Chennai.

3.The District Collector,
Tirunelveli District, Tirunelveli.

4.The Deputy Director,
Mines Department,
Tirunelveli District.

5.Arun Gopinath

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 and 2 to hold a spot inspection at the quarrying point in Survey No.826, Keelakadayam Village, Tirunelveli District so as to assess the distance between the quarry area and the inhabited sites by virtue of Section 36(1-A) (a) of Tamil Nadu Minor Mineral Concession Rules, 1959 and thereupon pass appropriate orders in connection with the granting of leasehold right granted by the third respondent in favour of the fifth respondent vide his proceedings in R.C.No.M1/16644/2012, dated 19.05.2012, on the basis of the petitioner's representation dated 21.01.2017 within the time stipulation as prescribed by this Court.

For Petitioner

: Mr.R.Anand

For Respondents 1 to 4

: Mr.M.Govindan,

Special Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

<https://hcservices.ecourts.gov.in/hcservices/>

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to



conduct spot inspection in quarrying point in Survey No.826, Keelakadayam Village, Tirunelveli District for the purpose of ascertaining the distance between the quarry and inhabited sites by virtue of Section 36(1-A) (a) of Tamil Nadu Minor Mineral Concession Rules, 1959 and also for giving necessary direction to pass appropriate order in connection with granting of leasehold right in favour of the fifth respondent in R.C.No.M1/16644/2012, dated 19.05.2012, by way of issuing a writ of mandamus.

2.The learned Special Government Pleader appearing for the respondents 1 to 4 has contended to the effect that after granting lease in favour of the fifth respondent on 02.03.2017 an inspection has been conducted and subsequently a notice has been issued to the fifth respondent on 09.03.2017 and now the matter is pending before the third respondent.

3.Considering the representation made on the side of the respondents 1 to 4, this Court is inclined to pass the following order.

4.In fine, the third respondent viz., District Collector, Tirunelveli District is directed to dispose of the matter pending on his file within a period of fifteen days. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary, Industries Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 9.
 2. The Director of Geology and Mining, Guindy, Chennai.
 3. The District Collector,
Tirunelveli District, Tirunelveli.
 4. The Deputy Director,
Mines Department, Tirunelveli District.
- +1 cc to Mr.V.Sanjeevi, Advocate, SR.No.51926
+1 cc to Mr.R.Anand, Advocate, SR.No.52221
+1 cc to Special Government Pleader, SR.No. 52231

ORDER MADE IN
W.P (MD) No.2818 of 2017
13.04.2017