



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.03.2017

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THE HONOURABLE MR.JUSTICE J.NISHA BANU

W.P(MD)No.3973 of 2017

and

WMP(MD).No.3155 of 2017

S.Panchavarnam

.. Petitioner

Vs.

1.The District collector,
Madurai District,
Madurai.

2.The Deputy Director,
Department of Geology and Mining,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents herein to dispose of the petitioner's application dated 14.07.2016 for stone quarry in respect of survey No. 606/4 (P) to an extent of 2.00.0 Hectares situated at Kambur Village, Melur Taluk, Madurai District.

For Petitioner	: M/S.V.T.Prabakaran
For R-1	: Mr.T.R.Janardhanan Government Pleader
For R-2	:Mr.G.Muthukannan Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed praying for a Writ of Mandamus directing the respondents herein to dispose of the petitioner's application dated 14.07.2016 for stone quarry in respect of survey No. 606/4(P) to an extent of 2.00.0 Hectares situated at Kambur Village, Melur Taluk, Madurai District.

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

3. The petitioner submits that she is the President of



Annai Sandhiya Women Self Help Organisation and she has filed the present writ petition to pass orders on her application dated 14.07.2016 for stone quarry which is pending on the file of the respondents 1 and 2.

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4. It is the claim of the petitioner that as per the Government Scheme, quarry operations would be given to Self-help Groups, which is being registered under Swarna Jayanti Gram Swarozgar Yojana and according to her, there are 50 members who are in the Self-help group of the petitioner and as per the Resolution dated 10.07.2016, they have filed the application for stone quarry in respect of S.No.606/4(P) to an extent of 2.00.0 hectares situated in Kambur Village, Melur Taluk, Madurai District.

5. It is the further case of the petitioner that after receiving the application, the respondent has sent a reply to the petitioner to rectify certain defects on their application within a period of 15 days from the date of notification and the petitioner also rectified all the defects, as pointed out by the respondents. But, now, a notification has been issued by the respondents without considering her representation and hence, the present writ petition is filed.

6. When the matter is taken up for consideration, learned counsel for the petitioner would claim for a stay of the notification in question in respect of the quarry claimed by her on the reason that without considering her representation, the respondents are going ahead with the matter.

7. *Per contra*, learned Government Advocate appearing for the respondents would submit that in the present notification, the quarry claimed by the petitioner does not find a place and therefore, stay need not be granted.

8. Recording the submission of the learned counsel for the petitioner as well as the learned Government Advocate, to meet the ends of justice, it would suffice if a direction is given to the respondents to dispose of the application of the petitioner, dated 14.07.2016, within a time frame.

9. Accordingly, the respondents are directed to consider the application of the petitioner, dated 14.07.2016, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. Consequently, the miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(C)



1.The District collector,
Madurai District, Madurai.

2.The Deputy Director,
Department of Geology and Mining,
Madurai District.

+1cc to Mr.V.T.Prabakaran, Advocate Sr.No. 13285

+1cc to Spl.Government Pleader Sr.No. 13449

JAM/20.03.17 /BS/ 3p-5c

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