



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.04.2017

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.7362 of 2017

P.Krishnan

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Assistant Director of Geology & Mining,
Ramanathapuram,
Ramanathapuram District.

3.The Revenue Divisional Officer,
Paramakudi Sub-Division,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent to renew the licence issued vide Na.Ka.901/G & M.2/2014 dated 04.03.2015 for further one year to quarrying Savudu sand at S.No.30/1B and 30/2A an extent of 2.28.5 hectares at patta land in Melathooval, Muthukulathur, Ramanathapuram District based on the petitioner's representation dated 10.03.2016 and further representation dated 13.03.2017.

For Petitioner

: M/S.S.C. Herold Singh

For Respondents

: Mr.T.R.Janardhanan,

Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the first respondent to renew the licence issued vide Na.Ka.901/G & M.2/2014 dated 04.03.2015 for further one year to quarry Savudu sand at S.No.30/1B and 30/2A to an extent of 2.28.5 hectares at patta land in Melathooval, Muthukulathur, Ramanathapuram District based on the petitioner's representations dated 10.03.2016 and 13.03.2017.

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

2. Mr.T.R.Janarthanam, learned Additional Government Pleader takes notice for the respondents.



3. By consent of parties, the main writ petition itself is taken up for final disposal.

4. The petitioner would aver among other things that he had applied for licence to quarry savudu sand in the afore said land, before the first respondent on 18.06.2014 and on production of necessary documents, the first respondent given licence to the petitioner vide proceedings Na.Ka.901/G & M.2/2014 dated 04.03.2015. The licence was given for the period from 31.03.2015 to 31.03.2016. Pursuant to the said licence, the second respondent had estimated to issue 4714 trip sheets for the licence period. But the petitioner had received 275 trip sheets upto July 2015 only. Hence, the petitioner has come forward with this writ petition seeking renewal of his licence.

5. The learned Additional Government Pleader on instructions submitted that there was no representation or complaint till the licence period was over to the respondents as to the non-issuance of the trip sheets. Now the present writ petition has been filed seeking renewal of his earlier licence by considering his representation dated 13.03.2017.

6. The prayer made in this writ petition cannot be considered as the licence period has already been expired and admittedly there was no complaint from the petitioner whatsoever during the licence period. If at all the petitioner wanted any fresh licence, it can only be done by way of fresh application with all necessary documents, which are necessary for granting licence.

7. Hence, the petitioner is directed to make an appropriate application with all relevant documents before the first respondent and on filing such application given by the petitioner for fresh licence, the first respondent shall consider the same on merits and in accordance with law at the earliest.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-
ASSISTANT REGISTRAR(C)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To,

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

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

2.The Assistant Director of Geology & Mining,
Ramanathapuram, Ramanathapuram District.



3.The Revenue Divisional Officer,
Paramakudi Sub-Division,
Paramakudi,
Ramanathapuram District.

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+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.53452

pm

MAS/MR:04.05.2017:3P-5C

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