



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRA BAABU

W.P (MD) No.92 of 2017
and W.M.P. (MD) Nos. 64 and 65 of 2017

S.Radhakrishnan

.. Petitioner

vs.

1. The District Collector
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Office,
Aruppukottai,
Virudhunagar District.

3.The Assistant Director,
Geology and Mining Department,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of certiorari by directing the second and third respondents to call for the impugned order passed by the third respondents to call for the impugned order passed by the third respondent made in Na.Ka.Kveel/556/2016 dated 26.12.2016 and quash the same as illegal.

For Petitioner : Mr. A.Balaji

For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

ORDER

The petitioner is aggrieved against the order passed by the third respondent dated 26.12.2016 wherein and whereby the petitioner's vehicle bearing Registration No.TN-07-E-3840 was seized on an allegation that the same was indulged in transporting gravel illegally without having any valid transit permission. The impugned order further contemplates initiation of proceedings under Rule 36(A) of the Mines and Minerals Concession Rules, 1959.

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

2. Considering the fact that what is under challenge is only the communication indicating that proceedings will be initiated



under 36(A) of the said Rule, I do not think that the petitioner can approach this Court at this stage and challenge the said communication when in effect further order has not been passed under 36(A) of the said Rule so far.

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3. Needless to say that if any order is passed under the said Provision, it is open to the petitioner to challenge the same in the manner known to law before the appropriate forum.

4. The learned Additional Government Pleader, who takes notice for the respondents, submitted that the orders will be passed within a period of 10 days.

5. The above submission is recorded. Accordingly, this writ petition is disposed of by directing the respondents to pass orders on merits and in accordance with law in pursuant to the impugned proceedings dated 26.12.2016, within a period of 10 days from the date of receipt of copy of this order. No costs. Consequently, connected W.M.P.(MD) Nos. 64 and 65 of 2017 are closed.

Sd/
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To,

1. The District Collector,
Virudhunagar District, Virudhunagar.
2. The Revenue Divisional Office, Aruppukottai,
Virudhunagar District.
3. The Assistant Director, Geology and Mining Department,
Virudhunagar District, Virudhunagar.

+1CC to M/S.A.Balaji, Advocate, SR.No. 580

W.P(MD) No.92 of 2017
and W.M.P.(MD) Nos. 64 and 65 of 2017
04.01.2017

CM

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