



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No. 1323 of 2013

and

M.P (MD) No.1 of 2013

J.Samuvel

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director of Geology and Mining,
Tirunelveli District,
Tirunelveli.

3.Selvasekaran,
Assistant Director of Geology and Mining,
Tirunelveli District,
Tirunelveli.

... Respondent

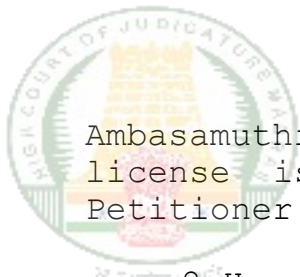
PRAYER : Writ Petition filed under Article 226 of the Constitution of India Praying this Court for issuance of a Writ of Mandamus directing the second respondent to issue transport permit to the Petitioner for transportation of minor minerals including rough stones and gravel, quarried from the Petitioner's private lands situated in S.Nos.52/1 and 53/1B, Pirancharry Village, Ambasamuthiram Taluk, Tirunelveli District in accordance with the license issued by the District Collector in favour of the Petitioner vide proceedings dated 20.1.2012 in M1/34201/2011.

For Petitioner : M/s.N.Dilip Kumar
For Respondents : Mr.T.R.Janarthanan
1 and 2 Addl.Govt.Pleader

For Respondent-3 : No appearance.

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent to issue transport permit to the Petitioner for transportation of minor minerals including rough stones and gravel, quarried from the Petitioner's private lands situated in S.Nos.52/1 and 53/1B, Pirancharry Village,



Ambasamuthiram Taluk, Tirunelveli District in accordance with the license issued by the District Collector in favour of the Petitioner vide proceedings dated 20.1.2012 in M1/34201/2011.

2. Heard the submissions made on either side and perused the materials placed before this Court.

3. The Petitioner, who was granted license to quarry rough stones and gravel from his patta land, has filed the present Writ Petition seeking for a direction to the second respondent to issue transport permit. It is now submitted that pending the Writ Petition, the said license was cancelled, against which the Petitioner has filed an appeal before the first respondent.

4. In view of the same, the Petitioner's request cannot be considered at this point of time. Hence the Writ Petition stands dismissed. However, in case, if the Petitioner succeeds in the appeal and is permitted to quarry, it is open to him to seek for similar directions before the authorities concerned.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Assistant Director of Geology and Mining,
Tirunelveli District,
Tirunelveli.

+1cc to M/S THE SPECIAL GOVERNMENT PLEADER, SR.NO. 10518

vsn

AE/RR/BS/SAR1/06.03.2017/2P/4C

W.P. (MD) No. 1323 of 2013

and

M.P (MD) No.1 of 2013

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