

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.6469 of 2018

M/s.Annai Enterprises
rep.by its Proprietrix
A.Rajeswari

... Petitioner

Vs

1.The Commissioner of Geology and Mines,
Guindy, Chennai-32.

2.The Collector,
Salem District, Salem.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to send a report to the first respondent as per the letter of the first respondent in Na.Ka.No.8926/M.M.3/2017 dated 21.11.2017 and direct the first respondent to pass orders on the representation of the petitioner dated 11.11.2017.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.E.Balamurugan, SGP

ORDER

The prayer made in this writ petition is to direct the second respondent to send a report to the first respondent, based on the communication of the first respondent in Na.Ka.No.8926/M.M.3/2017 dated 21.11.2017 and consequently, direct the first respondent to pass orders, on the representation of the petitioner dated 11.11.2017.

2.According to the learned counsel for the petitioner, the petitioner made a representation dated 11.11.2017 to the respondents, permitting them to separate the Magnesite and Dunites from the dispossessed earth in possession of the respondents. On receipt of the same, the first respondent, by his communication dated 21.11.2017, directed the second respondent to find out the feasibility of the claim of the petitioner. However, till date, no action has been taken by the

second respondent. Hence, the petitioner is before this Court.

3.The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the second respondent would submit the necessary report to the first respondent, as directed by the first respondent, vide his communication dated 21.11.2017, shortly.

4.The submission so made by the learned Special Government Pleader appearing for the respondents is recorded. Accordingly, this writ petition stands disposed of, with a direction to the first respondent to consider the petitioner's representation dated 11.11.2017 and pass appropriate orders, on merits and in accordance with law and also on the basis of the report to be filed by the second respondent. Such an exercise shall be completed by the first respondent within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Geology and Mines,
Guindy, Chennai-32.

2.The Collector,
Salem District, Salem.

+1cc to the Government Pleader, S.R.No.68160

+2cc to Mr.S.Duraisamy, Advocate, S.R.No. 67917(31/10/2018)

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GN(29/10/2018)