

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2018

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.40057 of 2006
& Connected M.Ps.

V.Kottaiveeran

.... Petitioner

Vs

- 1 STATE OF TAMILNADU
REP. BY SECRETARY TO GOVERNMENT INDUSTRIES
DEPARTMENT FORT ST. GEORGE CHENNAI -9.
- 2 THE DISTRICT COLLECTOR
MADURAI DISTRICT.

... RESPONDENTS

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the Ist respondent's letter bearing No.10636/M.M.B.1/2005-1, dated 16-08-2005 pertaining to the Govt. quarry lands measuring 0.40.5 Hecrares, comprised in Survey S.F.No.99, situated in KELLAIYUR Village, Melur Taluk, Madurai District, quash the same and direct the Ist respondent to grant renewal by reconsidering the petitioner's renewal application dated 28.09.2004.

For Petitioner : Mr.K.Ramakrishna Reddy

For Respondents 1 & 2 : Mr.T.N.Rajagopal
Government Pleader

ORDER

This writ petition has been filed seeking an order to forbear the respondents from in anyway interfering with the petitioner's right to continue quarry operations and transport granite from Government quarry lands till the disposal of the petitioner's renewal application.

2. Mr.K.Ramakrishna Reddy, learned counsel appearing for the petitioner would submit that this writ petition is covered by a Division Bench decision of this Court in W.P.No.25401 of 2003 & etc., batch and would submit that at the time of passing the aforesaid Division Bench order, Rule 39 of the Mine Mineral Concession Rules was prevailing and the present Rule would be Rule 41 and 42 of the Tamil Nadu Minor Mineral Concession Rules and based on the division bench order, if the petitioners satisfy Rule 41 and 42 of the Mine Mineral Concession Rules, the respondents are directed to consider the renewal application based on the relevant rules.

3. Learned Special Government Pleader appearing for the State would submit that, after the Division Bench order of this Court, similar type of litigations were disposed of by this Court.

4. Learned counsel for the petitioner would fairly submit that, a direction may be issued to pass orders on the renewal application filed by the petitioner, if the same is pending with the respondents till date.

5. In view of the fair submission made by the learned counsel for the petitioner, this writ petition is disposed of by directing the respondents to pass orders on the renewal application if any, pending with the respondents in the light of the orders passed by the Division Bench of this Court as well as the Honourable Supreme Court and after following the relevant rules made thereunder, within a period of twelve weeks, from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

smi

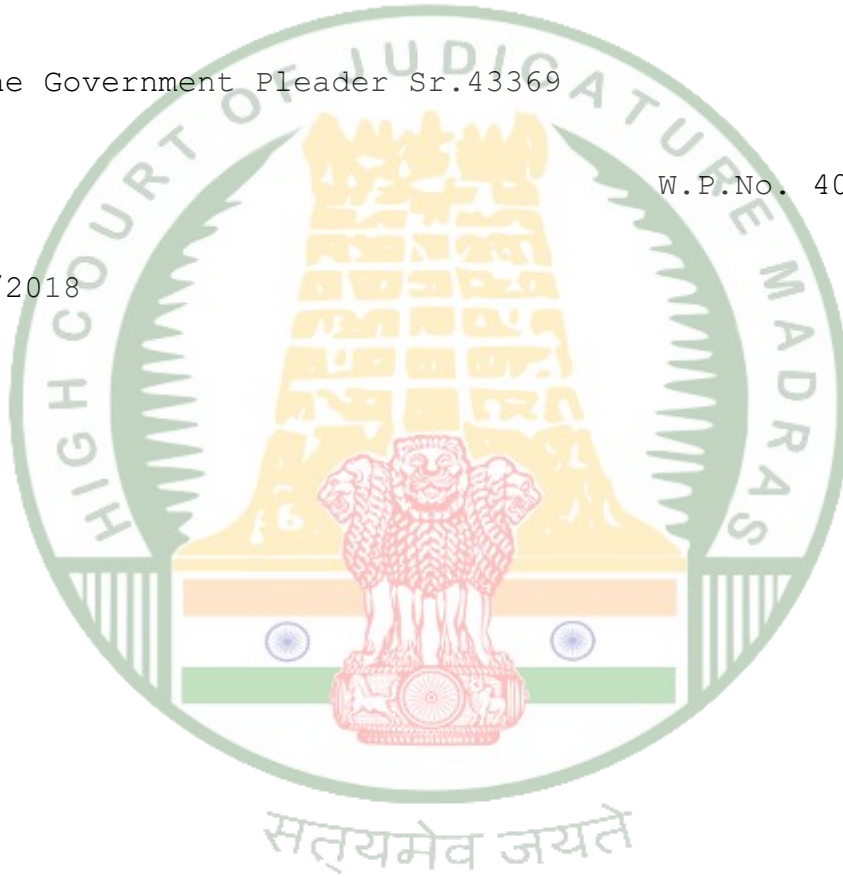
To,

- 1 STATE OF TAMILNADU
REP. BY SECRETARY TO GOVERNMENT INDUSTRIES
DEPARTMENT FORT ST. GEORGE CHENNAI -9.
- 2 THE DISTRICT COLLECTOR
MADURAI DISTRICT.

+1cc to the Government Pleader Sr.43369

W.P.No. 40057 of 2006

srg 24/09/2018



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