

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.09.2018
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.23374 of 2018

M/s.Gem Granites
Represented by its
Partner Mr.S.R.Asaitambi
No.78, Cathedral road
Chennai-600 086.

.. Petitioner

Vs

1.State of Tamil Nadu
Represented by Secretary to Government
Industries Department
Fort. St. George
Chennai-600 009.

2.The District Collector
Salem District
Salem.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's renewal application dated 28.09.2017 pertaining to multi coloured Government quarry lands measuring 1.77.0 Hectares, comprised in survey No.104(Part), situated in Devannagoundanur Village, Sankari Taluk, Salem District.

For Petitioner : Mr.K.Ramakrishna Reddy
For Respondents : Mr.V.Jayaprakash Narayanan
Special Govt. Pleader

ORDER

The petitioner has come up with this writ petition seeking a direction to the 1st respondent to consider and pass orders on his renewal application dated 28.09.2017 pertaining to quarrying operations.

2.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader for respondents.

3.According to the learned counsel for the petitioner, the petitioner is carrying on business of quarrying and marketing granite of all colours and sizes. The first respondent by G.O. (3D) No.76, Industries (MMB-2) Department, dated 17.06.1998, granted multi coloured granite quarrying lease and the said

lease is for a period of 20 years i.e., from 30.09.1998 to 29.09.2018. The application for renewal of lease shall be submitted at least 12 months before expiry of the lease. The petitioner claims that they submitted the application on 28.09.2017 for renewal of lease by complying with all necessary requirements and formalities. But the said application is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4.Mr.V.Jayaprakash Narayanan, the learned Special Government Pleader for respondents, submitted that the first respondent be directed to consider the petitioner's renewal application and pass orders in accordance with law.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's renewal application dated 28.09.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
State of Tamil Nadu
Industries Department
Fort. St. George
Chennai-600 009.

2.The District Collector
Salem District, Salem.

+1cc to Mr.K.Ramakrishna Reddy, Advocate, S.R.No.64106
+1cc to the Government Pleader, S.R.No.64596.

W.P.No.23374 of 2018

rrs 18/09/2018