

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.11.2018
CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 15530 of 2018

R. Babu

..Petitioner

Vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.
2. The Assistant Director
Geology and Mining,
Thiruvallur District
Thiruvallur.

... Respondents

PRAYER: This Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to forthwith grant permission to the petitioner to quarry gravel in S.F.N 450A(P) Panapakkam Village, Thiruvallur District pursuant to the petitioner's application dated 25.03.2014.

For Petitioner : Ms. C. Sangamithirai

For Respondents : Mr. M.Karthikeyan,
Addl. Government Pleader for R1 & R2

O R D E R

This writ petition is filed seeking to direct the first respondent to forthwith grant permission to the petitioner to quarry gravel in S.F.N 450A(P) Panapakkam Village, Thiruvallur District pursuant to his application dated 25.03.2014.

2. The learned counsel for the petitioner would submit that the petitioner made an application on 25.03.2014 to quarry gravel in S.F.N 450A(P) Panapakkam Village, Thiruvallur District. It is further submitted that to obtain the said permission, the petitioner had submitted his application along with the relevant certificates to the concerned department. Since the 1st respondent has not passed any orders on the said application, the petitioner has filed the writ petition before this Court.

3. The learned Additional Government Pleader would submit that the petitioner has submitted his application under Rule 12 of Tamil Nadu Minor Mineral Concession Rule, 1959 on 11.09.2014. Subsequently, the amended Rules have come into force. Therefore, the petitioner has to comply with the conditions imposed under the amended Rules. Admittedly, the competent authority is the 1st respondent, to pass the orders. But no final orders have been passed.

4. Therefore, without expressing any opinion on merits, this Court is inclined to direct the first respondent to consider the representation of the petitioner dated 25.03.2014 on merits and in accordance with law, and pass orders as expeditiously as possible, not later than three weeks from the date of receipt of a copy of this order. It is made clear that in the event of return or rejection of the application, the first respondent shall adduce proper reasoning for the same.

5. The Writ Petition is disposed of, with the above direction.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

avr

To

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Assistant Director
Geology and Mining,
Thiruvallur District
Thiruvallur.

+1cc to Mr.C.Sangamithirai, Advocate, S.R.No.77833
+1cc to the Government Pleader, S.R.No.78250

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SSV(CO)

rrs 05/12/2018