

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.144 of 2018

and

WMP.No.208 of 2018

M/s.Twilight Stones (P) Ltd.,
Rep. by its Director Mr.K.Ariram Kumar
84, Eldams Road,
Teynampet, Chennai-18.

.. Petitioner

versus

1. The Principal Secretary to Government
Industries Department, Govt. of Tamil Nadu
Fort St.George, Chennai-9.
2. The Commissioner of Geology & Mining
Thiru.Vi.Ka.Industrial Estate
Guindy, Chennai-32.
3. The District Mineral Foundation
Rep. by its Chairman, The District Collector
District Collectorate Campus,
Tiruppur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd respondent in Na.Ka.No.339/Minerals-2/2017-285, dated 04.12.2017, [received by the petitioner on 29.12.2017], following the orders of the 1st respondent in G.O.Ms.No.57 Industries (MMD.1) dated 19.05.2017 insofar as the rules 8, 9, 10 and 11 are concerned published in Tamil Nadu Government Gazette Extraordinary Part-III Sec.1[a] dated 19.05.2017 and the G.O.Ms.No.90 Industries [MMD.1] Department dated 27.07.2017, and quash the same, and consequently, directing the respondents not to take any coercive steps against the petitioner for recovery of alleged contribution to the District Mineral Foundation.

For Petitioner: Mr.A.Chandrasekaran

For Respondents: Mr.R.Govindasamy

Special Government Pleader

O R D E R

This writ petition is filed challenging the order dated 04.12.2017 demanding contribution to the Trust at the rate of 30% of Senior Age Fee.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Perusal of the impugned order would show that such demand is made only pursuant to the order passed by the Hon'ble Supreme Court in the case of Federation of Indian Mineral Industries & others vs. Union of India and another in Transferred Case (Civil) No.43 of 2016 dated 13.10.2017. When such being the case, I do not think that the petitioner is having any merit in questioning the impugned demand, more particularly, when the same was made in accordance with the order passed by the Hon'ble Supreme Court as stated supra. Therefore, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mk
To

1.The Principal Secretary to Government
Industries Department, Govt. of Tamil Nadu
Fort St.George, Chennai-9.

2.The Commissioner of Geology & Mining
Thiru.Vi.Ka.Industrial Estate
Guindy, Chennai-32.

3.The Chairman,
The District Mineral Foundation
The District Collector
District Collectorate Campus,
Tiruppur District.

+ 1 cc to Mr.A.Chandrasekaran Advocate,SR.
+ 1 cc to The Govt.Pleader, SR.

W.P.No.144 of 2018

nr 30/01/2018