

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15091 of 2018

M.R.Mani

..

Petitioner

-vs-

The Commissioner of Geology and Mining
Department of Geology and Mining
Thiru.Vi.Ka Industrial Estate
Guindy
Chennai 600 032

..

Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to take up the Unnumbered First Appeal No.NIL of 2018 on the file of the respondent filed by the petitioner on 11.01.2018 under Rule 36-C(2) of Tamil Nadu Minor Mineral Concession Rules, 1959 against the order of District Collector, Tirupur District dated 13.01.2016 passed in Na.Ka.585/Kanimam/2013 and to number and dispose off the same on merits in accordance with law expeditiously within a time frame as stipulated by this Hon'ble Court.

For Petitioner :: Mr.C.E.Pratap

For Respondent :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

सत्यमेव जयते
ORDER

The petitioner has filed an appeal under Rule 36-C(2) of the Tamil Nadu Minor Mineral Concession Rules, 1959 before the Commissioner of Geology and Mining, Department of Geology and Mining, Guindy, Chennai, the respondent herein challenging the grant of stone quarry lease in favour of one Mr.M.R.Viswanathan of Morattupalayam village, Uthukkuli Taluk, Tirupur District. As the first appeal filed by the petitioner is pending for consideration, he seeks a direction for early disposal of the appeal on merits and in accordance with law.

2. The learned Special Government Pleader for the respondent submitted that there are certain other rival claims to be heard

by the respondent while considering the appeal filed by the petitioner on merits.

3. Since the petitioner is affected by the grant of stone quarry lease in favour of Mr.M.R.Viswanathan, the petitioner is entitled to ask for early disposal of the pending appeal. Hence, this Court hereby directs the respondent to consider the appeal filed by the petitioner on merits, by extending a reasonable opportunity of personal hearing to the parties concerned, and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The Commissioner of Geology and Mining
Department of Geology and Mining
Thiru.Vi.Ka Industrial Estate
Guindy
Chennai 600 032

+1cc to Mr.C.E.Pratap, Advocate sr.no.39307
+1cc to Government Pleader in sr.no.40429

W.P.No.15091 of 2018

nr 05/07/2018

सत्यमेव जयते

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