

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2018

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.Nos. 12066 & 14624 of 2003
and
W.P.M.P.No. 15121 of 2003

W.P.No. 12066 of 2003

K.Chatrapatti Swarna Jayanthi Thitta
Kalludaipor Nala Sangam
Rep by its President Mrs.M.Rathinam
2/38, Kadaneri Road
Kadaneri Village & Post
Peraiyur Taluk, Madurai District.

... Petitioner

Vs.

1.The District Collector
Madurai District
Madurai.

2.The District Collector
Chairman of the Special Committee
For Mining Lease under Swarna Jayanthi
Gram Swarozgar Yojana Scheme
Madurai District, Madurai.

.... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records in respect of the impugned order passed by the first respondent vide his proceedings in Na.Ka.No.1408/2002/Kanimam/A dated 20.02.2003 and quash the same in so far it relates to the petitioner and direct the respondents to grant lease of stone quarry to the petitioner at Survey No.41/1 part at Kadaneri Village, Peraiyur Taluk, Madurai District for the period of 5 years under the Swarna Jayanthi Gram Swarozgar Yojana Scheme Groups (S.G.S.Y. Groups).

For Petitioner : Mr.K.Ramesh Kumar for Mr.V.Balaji

For Respondents : Mr.K.S.Suresh, Govt. Advocate

W.P.No.14624 of 2003
K.Chatrapatti Swarna Jayanthi Thitta
Kalludaipor Nala Sangam
Rep by its President Mrs.M.Rathinam
2/38, Kadaneri Road
Kadaneri Village & Post
Peraiyur Taluk, Madurai District.

... Petitioner

Vs.

The District Collector
Madurai District
Madurai.

... Respondent

Prayer:Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned notification passed by the respondent bearing Na.Ka.No.626/2003/Kanimam dated 23.04.2003 in respect of quarry (Serial No.18) at Kadaneri Village Survey No.41/1 (Part) Peraiyur Taluk, Madurai published in Daily Thanthi dated 23.04.2003 and quash the same.

For Petitioner : Mr.K.Ramesh Kumar for Mr.V.Balaji

For Respondents : Mr.K.S.Suresh, Govt. Advocate

COMMON ORDER

Mr.K.Ramesh Kumar, learned counsel appearing for the petitioner submits that since the period of quarry lease has already lapsed, he is not pressing these writ petitions and he has made endorsement to that effect.

2.Recording the same the writ petitions are dismissed as not pressed. However, as this court has not expressed any view on the correctness or entitlement of the claim made by the petitioner in these writ petitions, it is made clear that the concerned authorities shall not be inhibited or influenced by the impugned order of rejection while considering any fresh application that may be made by the petitioner for future lease, if the petitioner is otherwise eligible and the same shall be decided on its own merits in accordance with law. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector
Madurai District
Madurai.

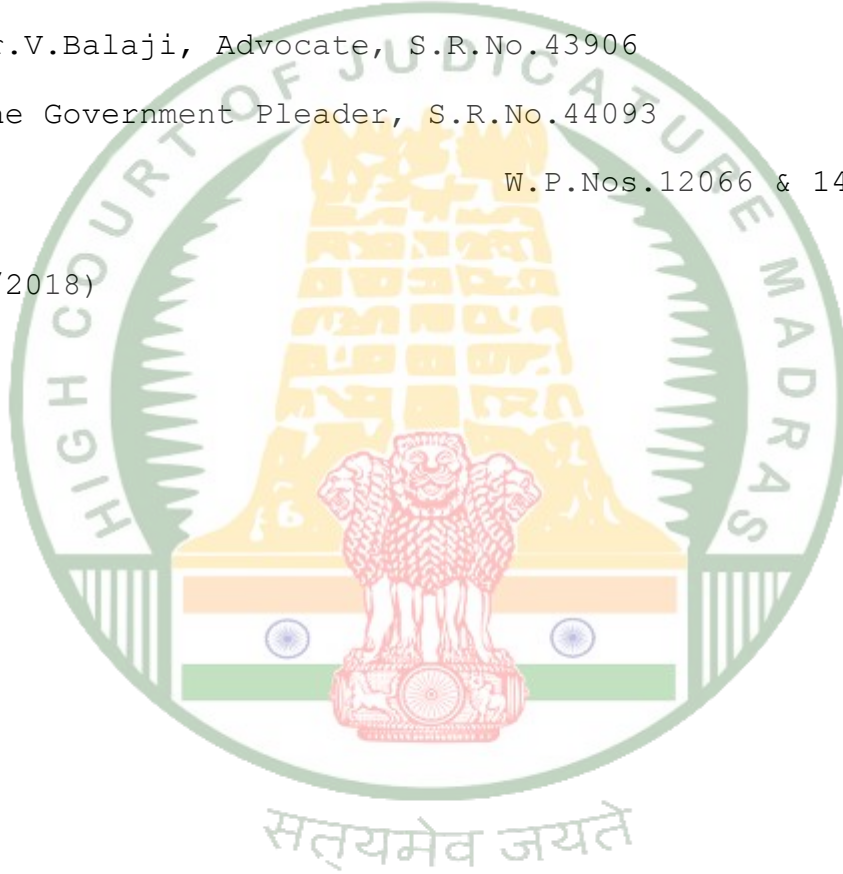
2.The District Collector
Chairman of the Special Committee
For Mining Lease under Swarna Jayanthi
Gram Swarozgar Yojana Scheme
Madurai District, Madurai.

+1cc to Mr.V.Balaji, Advocate, S.R.No.43906

+1cc to the Government Pleader, S.R.No.44093

W.P.Nos.12066 & 14624 of 2003

KK(CO)
GSP(25/07/2018)



WEB COPY