

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No. 25359 of 2018

S.Eswaran

... Petitioner

Vs

1.The Commissioner of Geology & Mining,
Guindy, Chennai - 600 032.

2.The District Collector,
Namakkal District, Namakkal,

3.The Assistant Director of Geology & Mining,
Geology & Mining Department,
Namakkal, Namakkal District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st respondent herein to pass orders on the appeal preferred by the petitioner dated 17.07.2017 under Rule 36 C of the Tamil Nadu Minor Mineral Concession Rules, 1959, challenging the orders of the 2nd respondent in Mu.Mu.176/9/2017 dated 16.06.2017 pertaining to termination of stone quarry leases granted in Survey No. 138/2 of Kumaramangalam Village, Thiruchengode Taluk, Namakkal District.

For Petitioner : Mr.G.Arulmurugan

For Respondents : Mr.V.Shanmugasundar

Special Government Pleader

ORDER

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to pass orders on the appeal dated 17.07.2017 preferred by him under Rule 36 C of the Tamil Nadu Minor Mineral Concession Rules, 1959, challenging the orders of the second respondent in Mu.Mu.176/9/2017 dated 16.06.2017 pertaining to termination of stone quarry leases granted in Survey No.138/2 situated at Kumaramangalam Village, Thiruchengode Taluk, Namakkal District.

3. According to the learned counsel for the petitioner, the petitioner has filed an Appeal dated 17.07.2017 before the first respondent related to grant of lease, but, the same is yet to be disposed of by him. Hence, the petitioner is before this Court.

4. Mr. V. Shanmuga Sundar, learned Special Government Pleader taking notice for the respondents, submitted that the first respondent be directed to consider the petitioner's Appeal 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 Appeal dated 17.07.2017 filed by the petitioner 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 eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

vga

To

1. The Commissioner of Geology & Mining,
Guindy, Chennai - 600 032.
2. The District Collector,
Namakkal District, Namakkal,
3. The Assistant Director of Geology & Mining,
Geology & Mining Department, Namakkal,
Namakkal District.

+1cc to Mr. G. Arulmurugan, Advocate in sr.no.66522
+1cc to Government Pleader, in sr.no.67071

W.P.No.25359 of 2018

CS/01/10/18