

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2018

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.Nos.26811 & 26824 of 2018
and
WMP Nos.31165, 31169, 31175 & 31177 of 2018

1. Sri. Garuda Granites,
Rep. by its Managing Partner S.Koikila ... Petitioner in
W.P.No.26811 of 2018

2. Mani Omega Granites Private Limited,
Rep. by its Managing Director, K.R.Mani ... Petitioner in
W.P.No.26824 of 2018

vs.

1. The Government of Tamil Nadu,
Rep. by Additional Chief Secretary to Government,
Industries Department,
Fort St. George, Chennai - 600 009.

2. The Commissioner of Geology and Mining,
Thiru.Vi.Ka. Industrial Estate,
Guidy, Chennai - 600 032.

3. The District Collector,
Villupuram District,
Villupuram.

... Respondents in both WPs.

Common Prayer: WRIT Petitions filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Declaration, declaring Rules 8,9,10 and 11 of the Tamil Nadu District Mineral Foundation Rules, 2017 introduced by the 1st respondent by G.O.Ms.No.57, Industries (MMD.1) Department dated 19.5.2017 published in Tamil Nadu Government Gazette

Extraordinary Issue No.143 dated 19.05.2017 and G.O.Ms.No.90, Industries (MMD.1) Department, dated 27.07.2017 published in Tamil Nadu Government Gazette Extraordinary Issue No.248, dated 27.07.2017, as illegal, ultra vires the Mines and Minerals (Development and Regulation) Act, 1957, null and void.

For Petitioners : Mr.V.Sanjeevi
in both WPs.

COMMON ORDER

(Order of the Court was made by S.MANIKUMAR, J)

W.P.Nos.26811 & 26824 of 2018, are filed for a writ of declaration, declaring Rules 8,9,10 and 11 of the Tamil Nadu District Mineral Foundation Rules, 2017 introduced by the 1st respondent by G.O.Ms.No.57, Industries (MMD.1) Department dated 19.5.2017 published in Tamil Nadu Government Gazette Extraordinary Issue No.143 dated 19.05.2017 and G.O.Ms.No.90, Industries (MMD.1) Department, dated 27.07.2017 published in Tamil Nadu Government Gazette Extraordinary Issue No.248, dated 27.07.2017, as illegal, ultra vires the Mines and Minerals (Development and Regulation) Act, 1957, null and void.

2. Mr.V.Sanjeevi, learned counsel for the petitioners submitted that both writ petitions may be permitted to be withdrawn. He has also made an endorsement to that effect.

3. Placing on record the above, both writ petitions are dismissed as withdrawn. It is made clear that no leave is granted to file a fresh writ petition on the same cause of action. No Costs. Consequently, the connected Writ Miscellaneous Petitions are closed.

(S.M.K., J.) (S.P., J.)
16.11.2018

Index: Yes/No.
Internet: Yes
Speaking/Non speaking
ars

To

1. The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Industries Department,
Fort St. George, Chennai - 600 009.

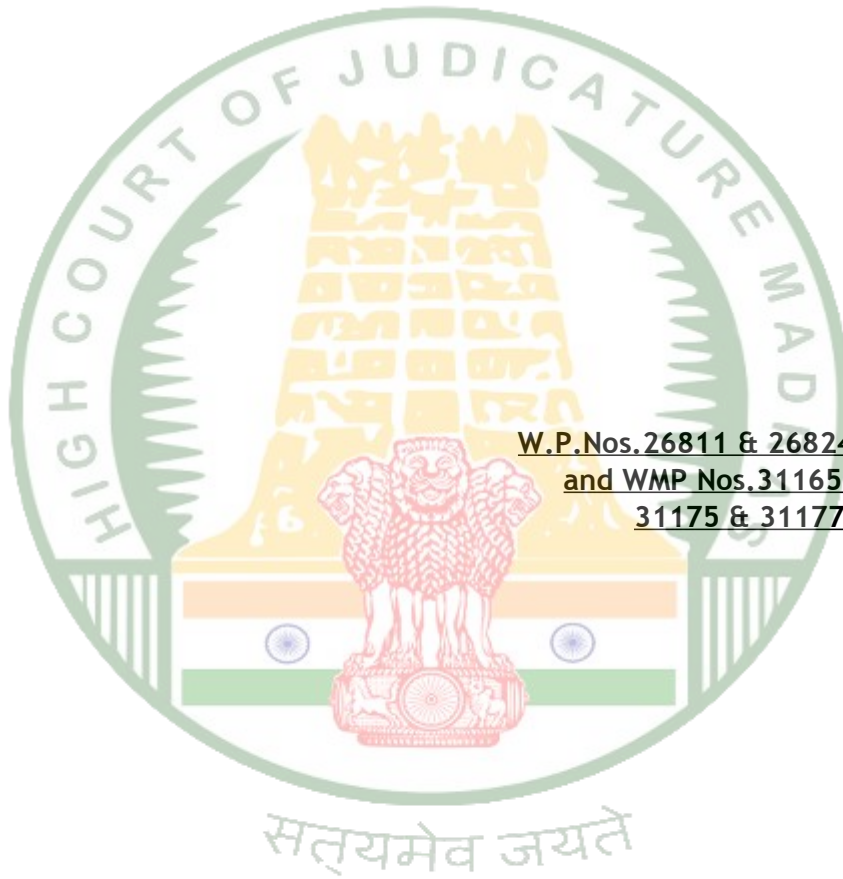
2. The Commissioner of Geology and Mining,
Thiru.Vi.Ka. Industrial Estate,
Guidy, Chennai - 600 032.

3. The District Collector,
Villupuram District,
Villupuram.

सत्यमेव जयते
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S.MANIKUMAR,J.
AND
SUBRAMONIUM PRASAD, J.

ars



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and WMP Nos.31165, 31169,
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