



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD)No.3445 of 2018

and

W.M.P. (MD)No.3589 and 3590 of 2018

T.Latha

... Petitioner

-Vs-

1. The District Collector,
Collectorate,
Theni District-625 531.

2. The Assistant Director,
Department of Geology and Mining,
Collectorate, Theni District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the tender notification in Na.Ka.No.33/Minerals/2018 dated 24.01.2018 on the file of the respondent with regard to serial Nos.9 and 10 i.e. Sy.No.32/2 part-I and Sy.No.32/2 part-II of Kodangipatti Village, Theni District and to quash the same and consequently stop the illegal quarrying operation in the said property.

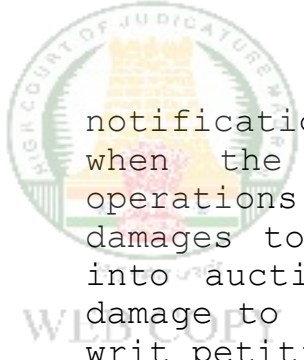
For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader.

ORDER

This writ petition has been filed, challenging the auction notification dated 24.01.2018 issued by the first respondent / District Collector, Theni, for leasing out certain poromboke lands for the purpose of conducting stone quarry.

2.According to the petitioner, she is the owner of the property in Survey Nos.80/1, 80/3 and 81/6 and she is doing agricultural operations in the above said land. Now, the poromboke lands in Sy.No.32/2 part-I and Sy.No.32/2 part-II adjacent to the petitioner's lands were included in the auction



notification. The grievance of the petitioner is that earlier when the quarry was leased out, lessees conducted quarry operations in violation of the conditions and also caused severe damages to the petitioner's land, and if the quarry further put into auction for the ensuing years, it will cause irreparable damage to the petitioner's land. In the above circumstances, the writ petition has been filed, challenging the above notification.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner restricted his prayer that already the petitioner's husband has given a representation on 12.02.2018 to the first respondent, it is suffice, if the first respondent is directed to consider the petitioner's representation and pass suitable orders.

4.Considering the facts and circumstances of the case, the first respondent is directed to consider the representation dated 12.02.2018 and pass suitable orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Theni District-625 531.
2. The Assistant Director,
Department of Geology and Mining,
Collectorate, Theni District.

+ 1 cc TO Mr.S.C.Herold Singh , Advocate in SR No. 49814
+ 1 cc TO The Special Government Pleader in SR No. 50610

Myr

AE/GT/SAR2/13.03.2018/2P/5C

W.P(MD)No.3445 of 2018
20.02.2018