



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WP (MD) No.5124 of 2018

and

WMP(MD)No.5106 of 2018

WEB COPY

Mallapuram Sandhanatthurai
Mahalir Nalasangam,
rep.by the Director,
S.Illanjiyam
No.10/110, Mallapuram,
Mallapuram Post,
Vedasandhur Taluk,
Dindigul.

.. Petitioner

Vs.

1. The Deputy Director of Geology and Mining,
O/o. Deputy Directorate of Geology and Mining,
Dindigul District, Dindigul.
2. The Assistant Director of Geology and Mining,
O/o. Assistant Directorate of Geology and Mining,
Dindigul District, Dindigul.
3. The District Collector,
O/o. District Collector,
Dindigul District,
Dindigul.

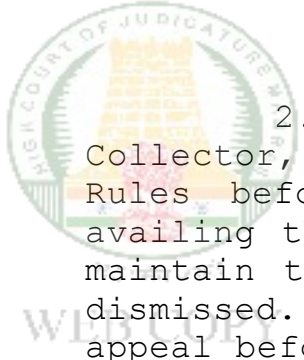
... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No.54/2017(kanimam) dated 22/02/2018 on the file of third respondent and quash the same as illegal and consequently to direct the respondents 1 to 3 to grant license to conduct rough stone quarrying by the petitioner sangam in SF.No.1798/part 2 to an extent of 2 hectares in Mallapuram Village, Vedasandur Taluk, Dindigul District.

For Petitioner	:	Mr.T.Lajapathi Roy
For Respondents	:	Mr.Aayiram K.Selvakumar Additional Government Pleader

ORDER

This writ petition has been filed, against the order, ~~of the petitioner's application~~ seeking preference to grant licence for quarrying operation as per Rule 8(10-A)(b)(ii) of the Tamil Nadu Minor Mineral Concession Rules, 1959.



2. Admittedly, against the order passed by the District Collector, an Appeal is provided under Section 36-C(2) of the said Rules before the Commissioner of Geology and Mining. Without availing the above said alternative remedy, the petitioner cannot maintain the present writ petition. Hence, this writ petition is dismissed. However, liberty is given to the petitioner to file an appeal before the authority concerned within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, WMP(MD)No.5106 of 2018 is closed. Registry is directed to return the original impugned order filed by the petitioner.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Director of Geology and Mining,
O/o. Deputy Directorate of Geology and Mining,
Dindigul District, Dindigul.
2. The Assistant Director of Geology and Mining,
O/o. Assistant Directorate of Geology and Mining,
Dindigul District, Dindigul.
3. The District Collector,
O/o. District Collector,
Dindigul District,
Dindigul.

+2cc to Mr.T.Lajapathi Roy, Advocate Sr.No.54933, 54368
+1cc to Spl.Government Pleader Sr.No.54505

MJ

VB/SKN/RSK/SAR4/19/03/2018/2P/7C

WP (MD) No.5124 of 2018
09.03.2018