



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.834 of 2018

and

W.M.P.(MD)No.891 of 2018

S.Panchavarnam

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Deputy Director,
Department of Geology and Mining,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents herein to allot stone quarry license on preferential basis to the petitioner Self Help Group for Women which is registered under Swarna Jayanthi Gram Swarozgar Yojana (SGSY), in respect of Survey No.104/1(Part A) measuring to an extent of 2.35.0. Hectares situated at Karadipatti Village, Madurai West, Madurai District.

For Petitioner
For Respondents

: Mr.M.Siddharthan
: Mr.B.Pugalendhi,
Additional Advocate General
assisted by
Mr.Aayiram K.Selva Kumar,
Additional Government Pleader.

ORDER

The Writ Petition has been filed, seeking a direction to the respondents to allot stone quarry license on preferential basis to the petitioner Self Help Group for Women, which is registered under Swarna Jayanthi Gram Swarozgar Yojana (SGSY), in respect of Survey No.104/1(Part A) measuring to an extent of 2.35.0. Hectares situated at Karadipatti Village, Madurai West, Madurai District.

2.According to the petitioner, the petitioner / association is registered under the Societies Registration Act on 25.11.2003 and the Serial Number is 123/2003. As per rule 8(10)(a) of Tamil Nadu Minor Mineral Concession Rules, 1959, the petitioner association is entitled to get rough stone quarry lease on preferential basis. Hence, the petitioner association filed an application before the District Collector on 14.12.2017, but, the same was not considered. Hence, the present Writ Petition has been filed.



3.Mr.B.Pugalendhi, learned Additional Advocate General appearing for the respondents submitted that now, the petitioner's application, dated 14.12.2017 filed before the District Collector, is pending for consideration and the same would be considered and suitable orders would be passed. Earlier, the first respondent sent a notice to the petitioner, directing to produce relevant records enabling to consider the application and pass orders. But, the petitioner did not produce the relevant documents, as required by the first respondent.

4.In the above circumstances, the petitioner is not entitled to get priority, till suitable orders are passed by the first respondent / District Collector on the application of the petitioner. Therefore, the petitioner is directed to produce the relevant documents, as required by the first respondent. On receipt of such documents, the first respondent is directed to consider the application of the petitioner and pass suitable orders on merits and in accordance with the Tamil Nadu Minor Minerals Concessions rules, after giving opportunity to the petitioner, within a period of six weeks thereafter.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Deputy Director,
Department of Geology and Mining,
Madurai District.

+One cc to The Special Government Pleader, SR.No.45987

+One cc to M/s.P.Kalaiyarasi Bharathi, Advocate, SR.No.45851

Myr

RL/5C/2P/KK/SAR1/15/2/2018

W.P (MD) No.834 of 2018