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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.05.2018

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No.10536 of 2018 and
W.M.P.(MD)Nos.9625 & 9626 of 2018

M.Insar

... Petitioner

Vs.

1. The Assistant Director of Mines & Minerals,
Mines and Minerals Department,
Pudukkottai, Pudukkottai District.

2. The District Collector,
Pudukkottai District,
Pudukkottai.

3. The Tahsildar,
O/o. the Taluk Office,
Aranthangi,
Pudukkottai District.

4. The Assistant Executive Engineer,
Public Works Department,
Aranthangi,
Pudukkottai District.

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to permit the petitioner to transport the sand available in S.No.44/1D2A and S.No.44/1D2B to an extent of 17.50 ares situated at Amanji Village, Aranthangi Taluk, Pudukkottai District which was purchased in accordance with the Rule 38-C of the Tamil Nadu Minor Mineral Concession Rules, 1959, to the places required by the petitioner for the purpose of Government Contract works within the Pudukkottai District.

For Petitioner

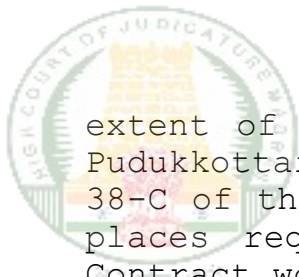
: Mr.Ajmal Khan,
Senior Counsel for ,
M/s.Ajmal Associates.

For Respondents

: Mr.S.Nagarajan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to transport the sand available in S.No.44/1D2A and S.No.44/1D2B to an



extent of 17.50 ares situated at Amanji Village, Aranthangi Taluk, Pudukkottai District which was purchased in accordance with the Rule 38-C of the Tamil Nadu Minor Mineral Concession Rules, 1959, to the places required by the petitioner for the purpose of Government Contract works within the Pudukkottai District.

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2. Heard the learned senior counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction to the respondents, the learned senior counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the second respondent to consider the representation of the petitioner, dated 29.04.2018, and pass orders on merits within the time stipulated by this Court.

5. Having regard to the limited scope of the prayer that is now sought before this Court by the learned senior counsel for the Writ petitioner, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to issue the following direction:-

"The second respondent is directed to consider the representation of the petitioner, dated 29.04.2018 and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order."

6. Accordingly, the 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 Assistant Director of Mines & Minerals,
Mines and Minerals Department,
Pudukkottai, Pudukkottai District.

2. The District Collector,
Pudukkottai District,
Pudukkottai.



3. The Tahsildar,
O/o. the Taluk Office,
Aranthangi,
Pudukkottai District.

4. The Assistant Executive Engineer,
Public Works Department,
Aranthangi,
Pudukkottai District.

+1cc to Special Government Pleader, SR.No. 65157

ORDER MADE IN
W.P.(MD).No.10536 of 2018 and
W.M.P.(MD)Nos.9625 & 9626 of 2018
03.05.2018

pmu
JM/MMS/SAR 2/04.05.2018/3P/6C