



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)No.13531 of 2018

N.Chelladurai

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director,
Mines Division,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus to direct the respondents to grant permission to quarry raw (saral) sand of 200 units in S.No.731/2A admeasuring 1.23.50 Hectares situated at Idaikal Village, Ambasamudram Taluk, Tirunelveli District based on the petitioner's representation dated 30.05.2018.

For Petitioner	: Mr.T.Selvan
For Respondents	: Mr.S.Nagarajan Special Government Pleader

ORDER

Mr.S.Nagarajan, learned Special Government Pleader takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal.

3. It is the grievance of the petitioner that his representation dated 30.05.2018, seeking permission to quarry raw (saral) sand of 200 units in S.No.731/2A admeasuring 1.23.50 Hectares situated at Idaikal Village, Ambasamudram Taluk, Tirunelveli District, has not been considered by the respondents till date. Therefore, he has filed the present writ petition.

4. I have considered the rival contentions.

5. This Court has not expressed any of its view with regard to the merits of the representation/application made by the petitioner. It is needless to point out that whenever a representation of this



nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

6. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondents to consider the petitioner's application dated 30.05.2018 on its own merits and pass orders in accordance with law, within a period of one month from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to all the necessary parties who may be interested in the matter in issue.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Assistant Director,
Mines Division,
Tirunelveli.

+1cc to M/S.T.Selvan, Advocate SR.No. 70888

W.P (MD) No.13531 of 2018
03.07.2018

rsb
JM/PN/SAR 2/17.07.2018/2P/4C