

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.443 of 2019  
and WMP.No.460 of 2019

1.T.T.Sadheesan  
2.U.C.Augustine  
3.T.P.Antony  
4.P.S.Mohanan

.. Petitioners

vs.

1.The District Collector,  
Coimbatore District,  
Coimbatore.  
2.The Joint Director of Geology and Mining,  
Collector's Office, Coimbatore.  
3.The Sub-Collector,  
Pollachi, Coimbatore District.

... Respondents

Prayer.: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus to direct the 1<sup>st</sup> respondent to forthwith consider and pass orders on the appeal of the petitioners dated 31.01.2017.

For Petitioners : Mr.P.Saravana Sowmiyan

For Respondent : Mr.M.Karthikeyan  
Addl.Govt.Pleader.

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O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed by the petitioner praying to issue a writ of Mandamus directing the 1<sup>st</sup> respondent to forthwith consider and pass orders on the appeal of the petitioners dated 31.01.2017.

3. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondents.

4. According to the learned counsel for the petitioners, the petitioners had jointly purchased the properties comprised in S.F.No.219/3F, 219/3A, 219/3E, 217/3C, 219/3F2 and 219/3G to an extent of 8.61 acres situated in Koarpatti Village, Pollachi Taluk, Coimbatore District by virtue of registered Sale Deed dated 18.05.2016 bearing Doc.No.1199 in the Office of Sub-Registrar, Gomangalam. The 3<sup>rd</sup> respondent has passed the proceedings in Na.Ka.No.2914/2016/A2 dated 30.12.2016 imposing penalty for the act of quarrying without permission. Challenging the said order, the petitioners have filed an appeal dated 31.01.2017 before the 1<sup>st</sup> respondent. But, till date, no order has been passed on the same. Hence the petitioners have filed the present writ petition before this Court.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the direction may be given to consider the appeal filed by the petitioners.

6. In view of the limited prayer sought for in the writ petition and without going into the merits of the case, the first respondent is directed to consider the petitioners' appeal dated 31.01.2017, if it is on file and pass appropriate orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

kkd

To

1.The District Collector,  
Coimbatore District,  
Coimbatore.

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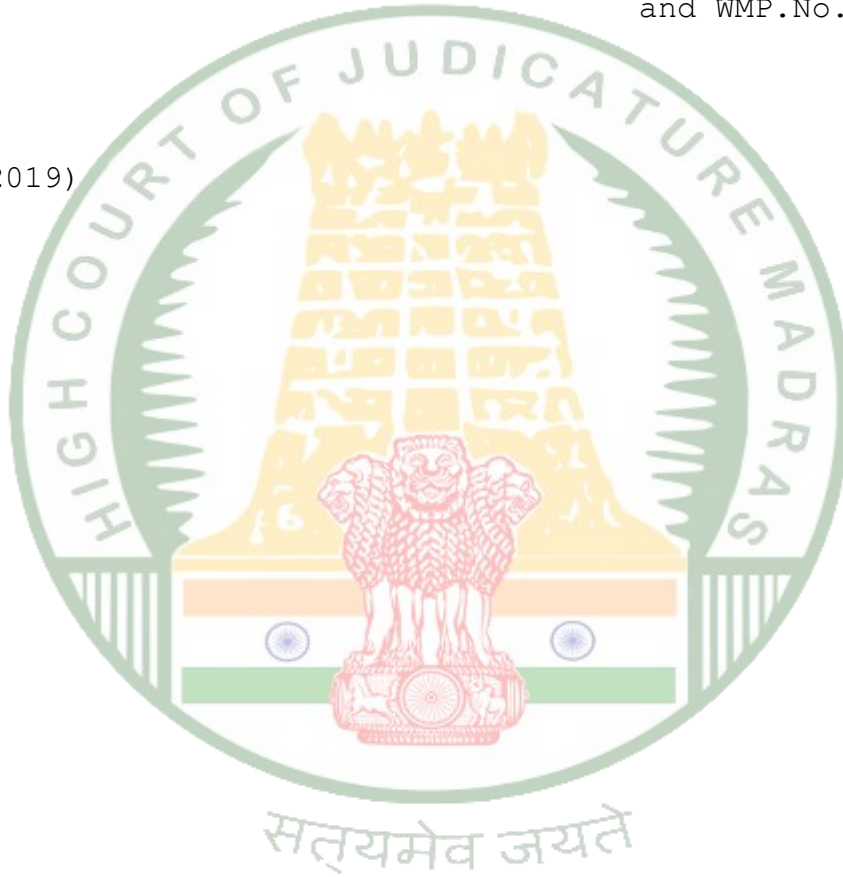
2.The Joint Director of Geology and Mining,  
Collector's Office, Coimbatore.

3.The Sub-Collector,  
Pollachi, Coimbatore District.

+1 CC to Mr.P.Saravana Sowmiyan, Advocate sr 3363.  
+1 CC to Govt. Pleader sr 3256

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RJI (CO)  
SP(30/01/2019)



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