

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.8034 of 2003

M.Sundararaj

... Petitioner

vs.

1. The State of Tamil Nadu,
rep. by its Secretary to Government,
Industrial Department,
Fort St. George,
Chennai 600 009.
2. The Union of India
(Atomic Energy Department),
by its Secretary,
Chatrapathi Sivaji Marg,
Mumbai - 400 001.
3. The Director of Geology and Mining,
Guindy, Chennai 600 032.
4. The District Collector,
Kanyakumari District,
Nagercoil.
5. M/s.Indian Rare Earths Limited,
Manavalakuruchi Plant,
Manavalakuruchi,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing the 1st to 3rd Respondents herein to grant/renew the mining lease/licence in favour of 5th Respondent after ascertaining the compliance of requirements under statutory Rules and further forbear the ascertaining the compliance of requirements under statutory Rules and further forbear the 5th Respondent from getting mining lease/licence without obtaining consent from the pattadar and consequently, cancel the Atomic lease issued by the 2nd

Respondent in favour of the 5th Respondent violating the Act and Rules and without the consent of the land owners.

For Petitioner : No appearance
For Respondents 1, 3 & 4 : Mr.E.Manoharan,
Addl. Government Pleader

For 2nd Respondent : Mr.J.Madhana Gopal Rao,
Senior Central Government
Standing Counsel

For 5th Respondent : Mr.Krishna Srinivas,
for M/s.S.Ramasubramaniam & Associates

ORDER

(Order of the Court made by M.M.SUNDRESH, J.)

This Writ Petition has been filed as a Public Interest Litigation, seeking a writ of mandamus directing the Respondents 1 to 3 to grant/renew the mining lease/licence in favour of the 5th Respondent, only after satisfying with the procedural requirements.

2. Learned counsel appearing for the 5th Respondent submitted that the mining lease has already been granted after complying with due formalities and a Writ Petition was also filed in W.P.No.16801 of 2015 seeking a direction to take appropriate action, which was also dismissed by an order dated 20.04.2017.

3. Thus, in the light of the above, particularly, in view of the fact that, mining lease has already been granted, nothing survives for adjudication. Accordingly, the Writ Petition is closed. No costs. Consequently, connected W.P.M.P.No.10294 of 2003 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

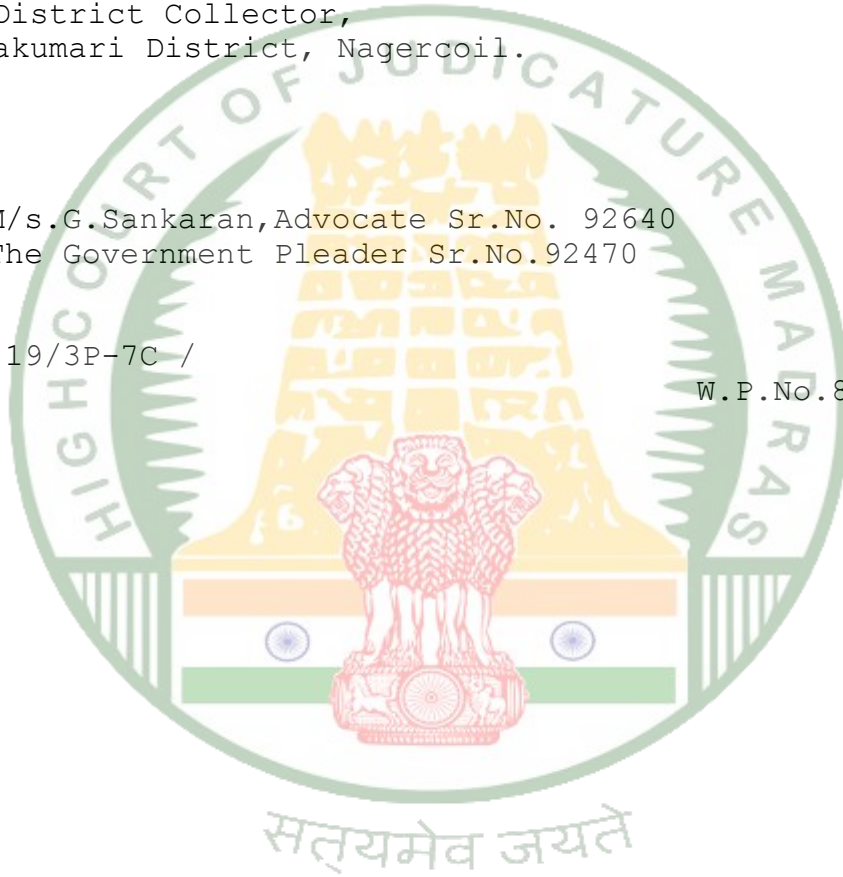
To:

1. The Secretary, State of Tamil Nadu,
Industrial Department, Fort St. George, Chennai 600 009.
2. The Secretary,
Union of India (Atomic Energy Department),
Chatrapathi Sivaji Marg, Mumbai - 400 001.
3. The Director of Geology and Mining,
Guindy, Chennai 600 032.
4. The District Collector,
Kanyakumari District, Nagercoil.

+1 cc to M/s.G.Sankaran,Advocate Sr.No. 92640
+1 cc to The Government Pleader Sr.No.92470

AKM/10.12.19/3P-7C /

W.P.No.8034 of 2003



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