



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2019

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) Nos.3083 and 3084 of 2013
and

M.P. (MD) Nos.1,1,2,2,3 and 3 of 2013

V.Kottai Veeran

... Petitioner in both petitions

/Vs./

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Industries (MMB-I),
Fort St.George, Chennai-600 009.
- 2.The District Collector,
Madurai District,
Department of Geology & Mining,
Collectorate, Madurai, Madurai District.
- 3.The Deputy Director (Geology & Mining),
(Camp at Madurai),
O/o.Commissioner of Geology & Mining,
Chennai-600 032.

4.K.Murugesan

... Respondents in both petitions

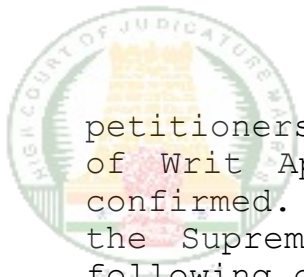
COMMON PRAYER:- Writ Petitions - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned notice issued by the 2nd respondent District Collector in ROC.No.791/2012-Mines and ROC.No.964/2012-Mines dated 01.02.2013 and 30.01.2013 respectively, quash the same.

For Petitioner : Mr.K.Ragatheeshkumar
for M/s.Isaac Mohanlal

For R-1 to R-3 : Mrs.J.Padmavathy Devi
Special Government Pleader

COMMON ORDER

Both learned counsel concur on the position that the challenge to identical show cause notices by a batch of petitioners was dismissed by a learned Single Judge in W.P.Nos.2677 to 2681 of 2013 & batch by order dated 02.09.2014. Some of the writ



petitioners challenged the order of the learned Single Judge by way of Writ Appeals, wherein the order of learned Single Judge was confirmed. As against the same, some of the petitioners approached the Supreme Court by way of petition for Special Leave and the following order has been passed:

'Dismissed.

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However, we grant three weeks' time to the petitioners to approach the authority concerned, if it so desire, inter alia, taking up all such objections which are available to them, including the grounds raised in these special leave petitions.

The authority concerned shall decide the lis between the parties without being influenced by the affidavit filed before the High Court or any of the observations made by the High Court.

The authority concerned shall complete the entire proceedings within two months' time from today.'

2. These petitioners have, admittedly neither filed Writ Appeals nor petitions for Special Leave. However, I believe that, at this distance of time, it is not appropriate to relegate them to the hierarchy of appeal and the observations of the Supreme Court may well be applied to the present cases as well. Learned Special Government Pleader expresses no objection to this course of action.

3. Thus, while disposing of these Writ Petitions, three weeks time is granted to the petitioners to approach the authority concerned, if it he so desire.

4. The Writ Petitions are disposed of in the aforesaid terms. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (P&A)

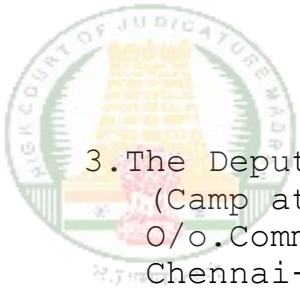
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Sub Assistant Registrar(CS)

To

1.The Secretary,
Department of Industries (MMB-I),
Fort St.George, Chennai-600 009.

2.The District Collector,
Madurai District,
<https://hcservices.ecourts.gov.in/hcservices/>
Department of Geology & Mining,
Collectorate, Madurai, Madurai District.



3.The Deputy Director (Geology & Mining),
(Camp at Madurai),
O/o.Commissioner of Geology & Mining,
Chennai-600 032.

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+2 CC to M/s.ISAAC CHAMBERS, Advocate SR-77828 & 77830

Common Order made in
W.P. (MD) No.3083 and 3084 of 2013
Dated: 25.07.2019

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JMN(18.09.2019) 3P : 6C