



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2019

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.(MD)Nos.6403 and 19719 of 2013

and

M.P.(MD)No.2, 3 and 1 of 2013

A.R.Silambayee

..Petitioner in W.P.(MD)No.6403 of 2013

C.Meyyanathan

..Petitioner in W.P.(MD)No.19719 of 2013

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Thiruppathur Taluk,
Thiruppathur,
Sivagangai District.

.. Respondents 1 and 2 in both petitions

3.P.Meyyanathan

4.D.Ramasubramaniam

...Respondents 3 and 4 in W.P.(MD)No.6403 of 2013

3.D.Ramasubramaniam

..3rd Respondent in W.P.(MD)No.19719 of 2013

PRAYER in W.P.(MD)No.6403 of 2013:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Certiorari, to call for the records pertaining to the order passed by the first respondent vide his proceedings in R.O.C.M1/1211/2010 dated 25.10.2010 quash the same.

PRAYER in W.P.(MD)No.19719 of 2013:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus, to direct the first respondent herein to forthwith issue Transport Permit to the petitioner herein to transport the quarried material in respect of the land comprised in SF No.37/7B, SF No.37/9A, SF No.37/6B and SF No.37/8 of a total extent of 1.76.5 hectares in Shanbagam Pettai Village, Thirupathur Taluk, Sivagangai District pursuant to the proceedings dated 25.10.2010 and the Lease Deed dated 27.10.2010 of the first respondent herein.



For Petitioner : Mr.Prasanth
For R1 and R2 : Mr.R.Murugan
Additional Government Pleader
(in W.P.(MD)No.6403 of 2013)

WEB COPY

For Petitioner : Mr.AL.Ganthimathi
For R1 and R2 : Mr.A.Thiyagaran
Government Advocate
(in W.P.(MD)No.19719 of 2013)

COMMON ORDER

A common order is passed in these writ petitions, since the cause of action in both cases is inter connected.

2. W.P.(MD)No.6403 of 2013 prays for a Writ of Certiorari to quash proceedings dated 25.10.2010 passed by the District Collector. The impugned proceedings constitute a quarry license in favour of the third respondent. W.P.(MD)No.19719 of 2013 seeks a Mandamus to the District Collector to issue transport permit to the petitioner, who is the third respondent in W.P.(MD)No.6403 of 2013 for transportation of the quarrying period. I am of the view that neither of the writ petitions survives as on date, since the period of license dated 25.10.2010 was itself only for a period of five years.

3. In view of the aforesaid, these Writ Petitions are closed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector, Sivagangai District, Sivagangai.

2.The Tahsildar, Thiruppathur Taluk,Thiruppathur,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-76332,76372[F] dated 19/07/2019)

+1 CC TO Mr.AL.Ganthimathi, ADVOCATE IN SR No. 76187

W.P(MD)Nos.6403 and 19719 of 2013

18.07.2019