



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

**W.P. (MD) No.3814 of 2019**

**and**

**W.M.P.No.2986 of 2019**

WEB COPY

P.Ramakrishnan

... Petitioner

Vs

1. The District Collector,  
Madurai District,  
Madurai.

2.The Deputy Director of Geology  
and Mining,  
Madurai District,  
Madurai.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to issue bulk permit and despatch slip/trip sheets to the petitioner pursuant to the license issued to the petitioner by the proceedings of the first respondent in Na.Ka.No.72/2018-Mines dated 08.08.2018 forthwith and continuously so as to enable the petitioner to transport rough stone from the licensed quarry located at Survey No.207 (part 2) to an extent of 1.50.0 hectares, Thiruchunai Village, Melur Taluk, Madurai District.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.M.Rajarajan

Government Advocate

**ORDER**

Heard the learned counsel on either side.

2. The writ petitioner was issued with license to quarry rough stones in the petition mentioned land. The licence dated 08.08.2018 issued by the District Collector, Madurai in favour of the writ petitioner is the subject matter of challenge in W.P(MD).No.23201 of 2018. It is not in dispute that no interim order staying the grant of license has been issued in the said writ proceedings. In other words, no interim order has been granted in favour of the petitioner in W.P(MD).No.23201 of 2018. But citing the pendency of the said writ petition, the writ petitioner herein has not been issued with any transport permit and bulk permit. Mere pendency of this writ petition cannot be a ground to withhold the issuance of transport permit and bulk permit. When the first respondent has issued a license in favour of the writ petitioner, the petitioner is entitled to operate the quarry on the strength of the same. Hence, the second respondent is directed to issue bulk permit and despatch slip as prayed for.



3. The Writ Petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (T AND P)

// True Copy //

Sub Assistant Registrar(CS I)

To

1. The District Collector,  
Madurai District,  
Madurai.

2.The Deputy Director of Geology  
and Mining,  
Madurai District,  
Madurai.

+1 CC to M/s.B.SARAVANAN, Advocate ( SR-52817[F] dated 11/03/2019 )

**W.P. (MD) No.3814 of 2019**

**08.03.2019**

**DS/ /SAR- (11.03.2019) 2P 4C**