

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 3659 of 2020

M.Thirunavukkarasu

.. Petitioner

..Vs..

1. The Additional Chief Secretary,
Government Industries Department,
St. George Fort,
Chennai - 600 009.

2. The Director,
Geology and Minerals Department,
Guindy,
Chennai - 600 032.

3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 23.01.2020 to dispose of the Second Appeal pending before the 1st respondent within a time frame that may fixed by this Court.

For Petitioner : Mr.G.Mohana Krishnan

For Respondents: Mr.M.Inbanathan

Additional Government Pleader

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O R D E R

The writ petition has been filed in the nature of Mandamus, directing the 1st respondent namely the Additional Chief Secretary, Government Industries Department, St. George Fort, Chennai, to consider the petitioner's representation dated 23.01.2020 and dispose of the Second Appeal pending before the 1st respondent within a time frame.

2. It is stated that the vehicle bearing Registration No. TN 76 P 5610 was seized by the Inspector of Police, Tandarampattu Police Station, Thiruvannamalai District on 03.08.2017 on the ground that black stones had been transported on the said vehicle without proper papers. In this connection, the 3rd respondent passed orders by proceedings in Na.Ka.No. 367/Kanimam/2017 dated 07.11.2017 in which penalty was imposed for a sum of Rs.9,61,663/-. The petitioner had filed an appeal against the 3rd respondent's order dated 07.11.2017 before the 2nd respondent namely, the Director, Geology and Minerals Department, Guindy, Chennai - 600 032 and the appeal was dismissed by proceedings in Rc.No.4445/MM9/2018, dated 09.08.2018. It was dismissed on the ground that there was a delay in filing the appeal. Thereafter, he has filed a second appeal before the first respondent namely the Additional Chief Secretary, Government Industries Department, St. George Fort, Chennai on 03.07.2019 and the Second Appeal has not been disposed of till date.

3. The learned counsel for the petitioner states that on enquiry, he was informed that the first respondent is awaiting the records from the second and third respondents.

4. Mr.M.Inbanathan, learned Additional Government Pleader takes notice on behalf of the respondents.

5. By consent of both parties, the main writ petition is disposed of. A Mandamus is issued to the first respondent to dispose of the second appeal, which is pending on the file of the first respondent from 03.07.2019. The first respondent shall call for the records from the second and third respondents on or before 20.03.2020 and receive the records on or before 26.03.2020, thereafter, after following the due procedure, the first respondent shall dispose of the appeal on or before 15.04.2020.

6. With the above directions, the present writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS)
//True copy//

Sub Assistant Registrar

kmm

To

1. The Additional Chief Secretary,
Government Industries Department,
St. George Fort,
Chennai - 600 009.

2. The Director,
Geology and Minerals Department,
Guindy,
Chennai - 600 032.

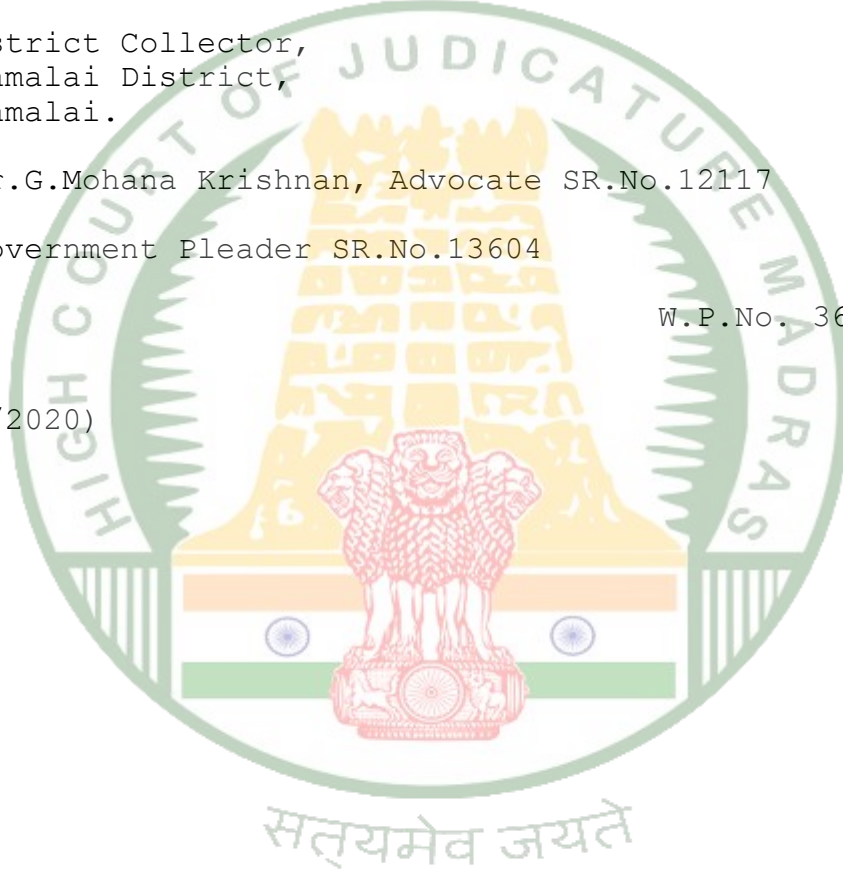
3. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

+1cc to Mr.G.Mohana Krishnan, Advocate SR.No.12117

+1cc to Government Pleader SR.No.13604

W.P.No. 3659 of 2020

CP(CO)
GMY(16/03/2020)



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