

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.5560 of 2013
and M.P.No.1 of 2013

M/s.Galaxy Crystals,
Rep. by its Managing Director,
No.9, Nagai Road,
Vedaranyam Town,
Nagapattinam District. Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by the Secretary, Revenue Department,
Fort. St.George,
Chennai - 600 009.

2.The Special Commissioner and
The Commissioner of Land Administration,
Ezhilagam, Chempauk,
Chennai - 600 005.

3.The District Collector,
Thiruvarur District,
Thiruvarur.

4.The Revenue Divisional Officer,
R.D.O. Office,
Mannargudi,
Thiruvarur District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus to direct the 1st respondent herein to grant the extension of salt lease in favour of the petitioner, for a period of 20 years from the date of grant in respect of the unsurveyed lands measuring 326 acres situated at Thillaivilagam Therkukaadu Village, Thiruthuraipoondi Taluk, Thiruvarur District for manufacturing salt, pursuant to the orders of the 3rd respondent in his letter Na.Ka.No.29133/99/U1 dt.01.07.2009.

For Petitioner : Mr.N.Pragasam

For Respondents : Mr.G.K.Muthu Kumar
for R1 to R4
Special Government Pleader

O R D E R

This writ petition has been filed for a mandamus to direct the first respondent herein to grant the extension of salt lease in favour of the petitioner for a period of 20 years from the date of grant in respect of the unsurveyed lands measuring 326 acres situated at Thillaivilagam Therkukaadu Village, Thiruthuraipoondi Taluk, Thiruvarur District for manufacturing salt, pursuant to the orders of the 3rd respondent in his letter Na.Ka.No.29133/99/U1 dt.01.07.2009.

2.Heard Mr.N.Pragasam, learned counsel for the petitioner and Mr.G.K.Muthu Kumar, learned Special Government Pleader for the respondents.

3.The learned counsel for the petitioner drew the attention of this Court to paragraph No.11 of the counter affidavit filed by the respondent before this Court which reads as follows:

"11.It is submitted that in the above circumstances, as per the directions of this Hon'ble Court, in its Common judgment dated 27.01.2009 made in W.P.No.10508/2004 and 22417/2004, the District Collector, Tiruvarur has sent a report to the Special Commissioner and Commissioner of Land Administration vide letter Rc.29133/1999/F1/dt.2.7.2009, recommending the renewal of lease to the petitioner. After considering all facts/ground realities, the Special Commissioner and Commissioner of Land Administration has recommended the report of the Collector to the Government for passing necessary orders in letter, dated 19.05.2010. Since at present the matter is under consideration of the Government, the Writ Petition in this stage is needless one."

4.As seen from the aforementioned paragraph, the District Collector, Tiruvarur has sent a report to the Special Commissioner and Commissioner of Land Administration vide his letter dated 02.07.2009 recommending the renewal of the lease in favour of the petitioner. It is also stated that the Special Commissioner and Commissioner of Land Administration has also recommended the report of the District Collector to the Government for passing necessary orders vide his letter dated 19.05.2010. The respondents therefore have categorically stated

that the renewal of lease in favour of the petitioner is under consideration by the Government.

5. Recording the statement made in paragraph No.11 of the counter affidavit filed by the respondents, this Court directs the first respondent to pass final orders for renewal of lease in favour of the petitioner based on the recommendations (a) dated 27.01.2009 sent by the District Collector, Tiruvarur and (b) dated 19.05.2010 sent by the Special Commissioner and Commissioner of Land Administration within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (C.S.VIII)

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamilnadu,
Revenue Department,
Fort. St. George,
Chennai - 600 009.
2. The Special Commissioner and
The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.
3. The District Collector,
Thiruvarur District, Thiruvarur.
4. The Revenue Divisional Officer,
R.D.O. Office, Mannargudi,
Thiruvarur District.

+1cc to Mr.N.Pragasam, Advocate Sr.No.11690
+1cc to The Government Pleader Sr.No.11787

AKM/14.02.2020 /3P-7C/

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