

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.7868 of 2020
and
W.M.P.Nos.9279 & 9280 of 2020

1.M.Senthilkumar

2.S.Geetha

...Petitioners

vs

1.The District Collector,
Erode District.

2.The Deputy Director of Mines,
Office of District Collector,
Erode District.

3.The District Revenue Officer,
Erode District.

4.The Revenue Divisional Officer,
Gobichettipalayam.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents to permit the petitioners to quarry and transit the minerals at S.No.476/1 and 474/2 in Kottupullampalayam Village, Gobichettipalayam Taluk, Erode District pursuant to the quarry licence issued by the first respondent in proceeding number R.C.No.901/2018/X-1 dated 10.12.2018 and for consequential transportation of the finished products.

For Petitioners : Mr.L.Chandrakumar
Ms.L.Varsha
for Mr.Eswar Kumar

For Respondents : Mr.Akhil Akbar Ali
Government Advocate

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. The petitioners seek for a mandamus to direct the respondents to permit them to quarry and transit the minerals at S.Nos.476/1 and 474/2 in Kottupullampalayam Village, Gobichettipalayam Taluk, Erode District pursuant to the quarry licence issued by the first respondent in proceeding number R.C.No.901/2018/X-1 dated 10.12.2018 and for consequential transportation of the finished products.

3. The case of the petitioners is that they are the owners of the land in Survey No.476/1 measuring an extent of 4.17 hectares and Survey No.474/2 measuring an extent of 9 acres and that they have been granted quarry license by entering into an agreement dated 10.12.2018 by the proceedings of the first respondent. The grievance of the petitioners is that even after granting such license, the petitioners were not permitted by the official respondents to carry out the quarry work based on some petitions filed by the villagers. Therefore, the petitioners made a representation before the respondents on 16.07.2019 to permit them to do quarry work as per the licence granted already. It is stated that the said representation has not been considered so far.

4. Learned Government Advocate, who appeared for the respondents, based on instructions, submitted that the enquiry is going on and therefore, sufficient time may be given to the first respondent to pass orders on the representation of the petitioners.

5. Considering the above stated facts and circumstances and without expressing any view on the merits of the claim made in this writ petition, this Writ Petition is disposed of with a direction to the first respondent to consider the representation of the petitioners dated 16.07.2019 and pass orders on the same on merits and in accordance with law after giving due opportunity of hearing to all the parties concerned. Such exercise shall be done by the first respondent within a period of six weeks from the date of receipt of a copy of this order. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)MDU

//True Copy//

Sub Assistant Registrar

mk/vri

To

1.The District Collector,
Erode District.

2.The Deputy Director of Mines,
Office of District Collector,
Erode District.

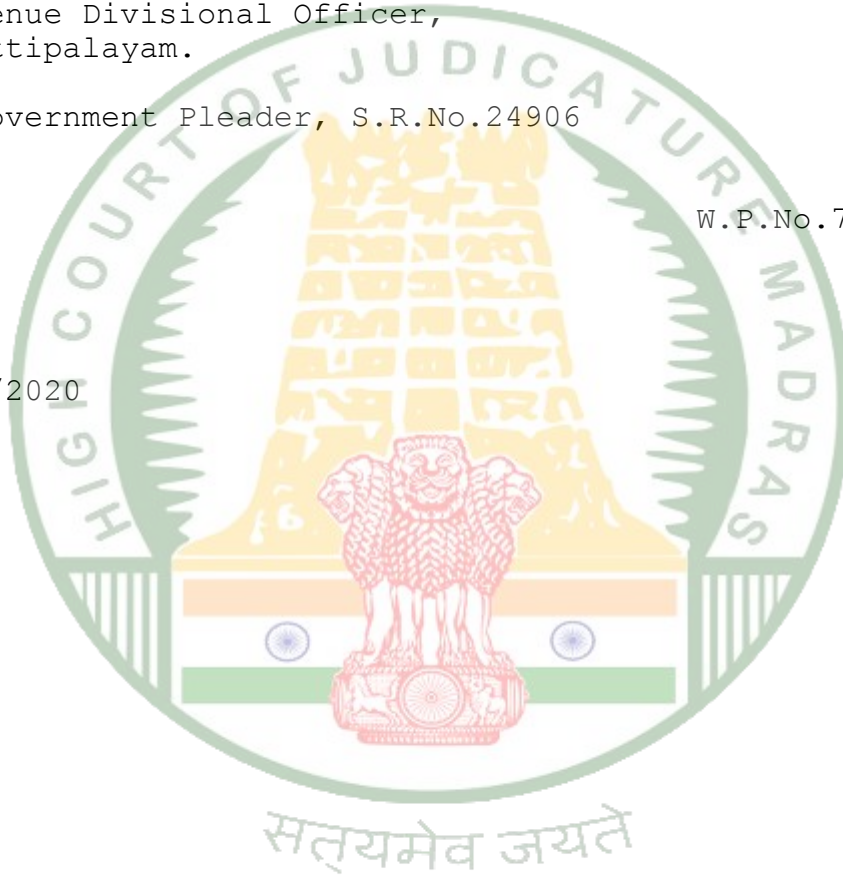
3.The District Revenue Officer,
Erode District.

4.The Revenue Divisional Officer,
Gobichettipalayam.

+1cc to Government Pleader, S.R.No.24906

W.P.No.7868 of 2020

PVS (CO)
KKV/04/09/2020



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