

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.15065 of 2020
(Heard Through VC)

S.Bala Adhithya Saba

..Petitioner

Vs.

1. The District Collector,
District Collector Office,
Ranipet District,
Ranipet - 632 401.

2. The Assistant Director of Geology and Mining,
Ranipet District,
Ranipet - 632 404

..Respondents

* * *

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to extend the period of lease for the mine in S.F.No.1/4 (Part.18) of Anandalai Village to an extent of 1.00.0 hectare, Walaja Thaluk, Ranipet District, formerly, Vellore District under District Collector, Vellore Proceeding No.Rc.A.35/2009 (Mines) dated 12.07.2010 due to Covid-19 as claimed in the petitioner's representation dated 10.06.2020 in a time bound period and for other reliefs.

* * *

For Petitioner : Mr.K.Mohanamurali
For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

ORDER

The Writ Petition is filed seeking a mandamus to direct the respondents to extend the period of lease for the mine in S.F.No.1/4 (Part.18) of Anandalai Village to an extent of 1.00.0 hectare, Walaja Thaluk, Ranipet District, formerly, Vellore District under District Collector, Vellore, proceeding No.Rc.A.35/2009 (Mines) dated 12.07.2010 due to Covid-19 as claimed in the petitioner's representation dated 10.06.2020.

2. It is the case of the petitioner that he is a successful bidder in respect of S.F.No.1/4 (Part.18) of Anandalai Village to an extent of 1.00.0 hectare, Walaja Thaluk, Ranipet District, formerly, Vellore District as per the proceedings of the District Collector, Vellore, in No.Rc.A.35/2009(Mines) dated 12.07.2010. Accordingly, the lease for quarrying in the said property was executed between the petitioner and the first respondent under an indenture dated 12.07.2010, vide Document No.2570 of 2011 on the file of the Sub Registrar Office, Sathuvachari, Vellore. The lease period is for 10 years. According to the petitioner, quarrying operations will be high only during December to June. Due to Covid-19 pandemic situation, the entire business operation in quarry came to a standstill. In the meanwhile, the lease period came to an end in the month of July 2020. The petitioner also sent a letter dated 10.06.2020 to the respondents explaining the difficulties due to Covid-19 and sought extension of the lease period till 12.07.2021, which was received by the respondents, but, till today, no orders were passed. Hence, the petitioner is before this Court.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the representation of the petitioner dated 10.06.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and by affording them an opportunity of personal hearing or virtual hearing and after verifying the relevant documents, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
District Collector Office,
Ranipet District,
Ranipet - 632 401.

2. The Assistant Director of Geology and Mining,
Ranipet District,
Ranipet - 632 404

+1cc to Mr.K.Mohanamurali, Advocate, S.R.No.34870

+1cc to the Government Pleader, S.R.No.34901

W.P.No.15065 of 2020

NRL (CO)
RV (27/11/2020)



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