

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.11.2020

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.16658 of 2020

S.Ramya Geethanjali

...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.17) 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.34/2009 (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 as this Hon'ble Court.

For Petitioner : Mr.K.Mohanamurali

For Respondents : Mr.R.S.Selvam, G.A., for R1

: Mr.E.Manoharan, Spl.G.P., for R2

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ORDER

Mr.R.S.Selvam, learned Government Advocate takes notice for the first respondent and Mr.E.Manoharan, learned Special Government Pleader takes notice for second respondent.

2.The Writ Petition is filed by the petitioner, to direct the respondents to extend the period of lease for the mine in

S.F.No.1/4(part.17) 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.34/2009 (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.

3.When the matter is taken up today for hearing, learned counsel for the petitioner submitted that the petitioner has entered into a lease agreement with the 1st respondent by executing Doc.No.7126 of 2010, however due to the pandemic situation, the State Government extended the lockdown with stringent conditions periodically till 31.08.2020 and the the lease validity period came to an end on 11.07.2020. The grievance of the petitioner is that he has invested more than Rs.50 lakhs towards machinery for the purpose of quarrying and at present the machineries are under the control of the Financiers. Though the State Government had gradually announced relaxation, the petitioner is unable to remove the quarry materials because of the expiry of the lease period viz., 11.07.2020. Hence the petitioner sent a letter dated 10.06.2020 to the respondents explaining the difficulties and sought extension of the lease period till 12.07.2021, however there was no response. Hence, this Court may issue appropriate direction to consider the petitioner's representation and extend the lease period for a reasonable period.

4.On the above contention, this Court heard the learned counsel appearing for the respondents, who have no serious objection for considering the petitioner's representation dated 10.06.2020, in accordance with law.

5. In view of the limited relief sought for by the petitioner, without going into the merits of the issue, I am inclined to issue a direction to the respondents 1 and 2 to consider the petitioner's representation dated 10.06.2020, and pass orders within a period of 12 weeks from the date of receipt of copy of this order, in accordance with law, if otherwise in order.

6.This writ petition is disposed off accordingly. However in the said circumstances, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

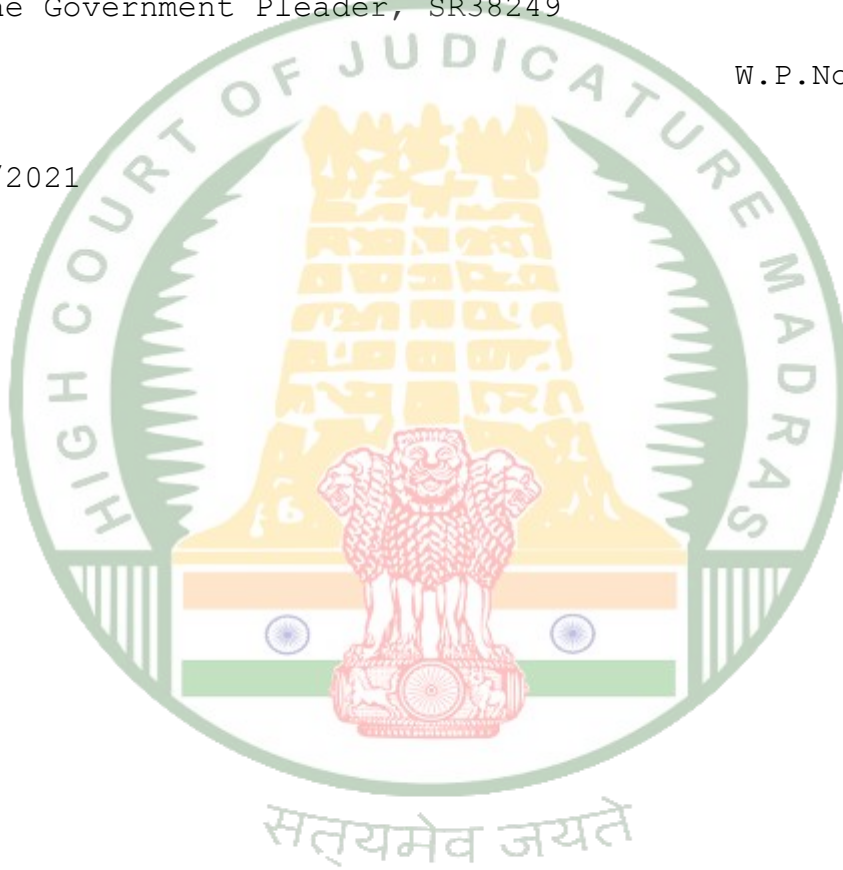
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Ranipet-632 404.

+lcc to Mr.K.Mohanamurali, Advocate, SR37833

+lcc to The Government Pleader, SR38249

W.P.No.16658/2020

CO (NMI)
BDL/19/01/2021



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