



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD) No.4885 of 2020

and WMP(MD) No. 4252 of 2020

M/s.Indiana Minerals and Allied Industries,
No.6/229, Near Om Sakthi Nagar,
O. Rajapalayam Post,
Tiruchengode Taluk,
Namakkal District,
Tamil Nadu - 637 209.

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District.

2. The Superintendent of Police,
Kanyakumari District.

3. The Assistant Director of Mines,
Nagercoil, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue **Writ of Mandamus**, or direction, directing the respondents to allow trucks belongs to the petitioner's company for transporting the building raw materials accompanied with valid and legal documents without any disturbance by the respondents on the basis of the representation dated 22.2.2020.

For Petitioner : Mr.S. Sivaprakash

For Respondents : Mr.C. Mari Chelliah Prabhu
Additional Government Pleader

ORDER

The Writ of Mandamus filed seeking direction to allow trucks belonging to the petitioner's company to transport, what the petitioner has described as building raw materials, but what are actually armour rock materials to Vizhinjam Port Site in Kerala. The petitioner had also given a representation, dated 22.2.2020.



2. The learned counsel appearing for the petitioner would states that the relief could be restricted, seeking a direction to the respondents to pass order on the petitioner's representation, dated 22.02.2020.

3. In view of that fact, it may be inappropriate on the part of this Court to go into the averments made in detail, since that will have to be decided by the appropriate authorities. Therefore, direction is issued to the third respondent/The Assistant Director of Mines, Nagercoil, Kannyakumari District, to consider the representation of the petitioner, dated 22.02.2020, after issuing notice to the petitioner, examine the records, examine the necessity of transportation of armour rocks from the place of the Crusher to the Vizhinjam Port Site and also all other relevant facts and thereafter, pass an order with reasons. The said order may be passed, on or before 09.04.2020.

4. With the above directions, the instant Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ksa

To

1. The District Collector,
Kannyakumari District.
2. The Superintendent of Police,
Kannyakumari District.
3. The Assistant Director of Mines,
Nagercoil, Kannyakumari District.

+1 CC to M/s.S.SIVAPRAKASH, Advocate (SR-10529[F] dated 09/03/2020)

+1 CC to M/s.SPL.GP (SR-11100[F] dated 11/03/2020)

W.P(MD) No.4885 of 2020

09.03.2020

SBS(CO)

TR(11.03.2020)2P 6C