



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P (MD)No.5598 of 2020

and W.M.P (MD)No.4902 of 2020

M.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Karur District,
Collectorate,
Thanthonimalai,
Karur.

2.The Assistant Director,
Geology & Mining,
Collectorate,
Thanthonimalai,
Karur - 639 007.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue Transport permit on payment of seigniorage fee for transporting rough stones from the leasehold area in S.F.291/Part Bit-II of Paganatham Village, Karur Taluk, Karur District on the basis of petitioner's representation dated 19.02.2020.

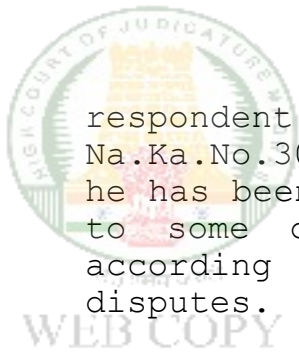
For Petitioner : Mr.K.Suresh

For Respondents : Mr.J.Padmavathi Devi,
Special Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner seeks a Mandamus to issue Transport permit on payment of seigniorage fee for transporting rough stones from the leasehold area in S.F.291/Part Bit-II of Paganatham Village, Karur Taluk, Karur District. The petitioner had given a representation on 19.02.2020 in this regard. In the affidavit, the petitioner has stated that he had been granted a quarrying lease for a period of five years in the said property by the proceedings of the first



respondent / The District Collector, Karur District in Na.Ka.No.303/Mines/2017, dated 07.02.2018. It has been stated that he has been continuously quarrying in the said area. However, owing to some disputes, he has not granted transport permit, which according to the learned Special Government Pleader were internal disputes.

3.According to the learned Counsel for the petitioner, though the petitioner has initiated several steps for Transport permit, the second respondent has refused to issue Transport Permit without assigning any reason. This has led to a representation given by the petitioner on 19.02.2020.

4.Heard the learned Counsel on either side and perused the entire materials available on record.

5.It is a fact that the lease has been granted to the petitioner for a period of three years. If there are disputes, the petitioner has to handle them at his own end. Therefore, the petitioner may approach the office of the second respondent at any working day, in the course of next week and thereafter, on proper acknowledgement, identification and an undertaking to be given, the second respondent may continue to give the transport permit to the petitioner in accordance with rules and if the petitioner satisfies the conditions as imposed by the second respondent.

6.With the above observation, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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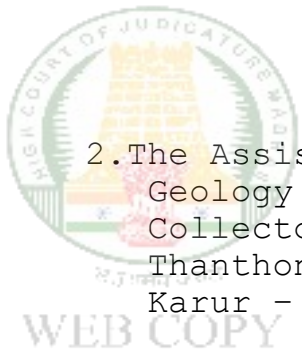
/ /2020

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Karur District,
Collectorate,
Thanthonimalai,
Karur.



2.The Assistant Director,
Geology & Mining,
Collectorate,
Thanthonimalai,
Karur - 639 007.

+1 CC to M/s.K.SURESH, Advocate (SR-12627[F] dated 20/03/2020)

+1 CC to M/s.SPL.GP (SR-12841[F] dated 23/03/2020)

W.P (MD) No. 5598 of 2020

20.03.2020

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