



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.8294 of 2020

C.Senthilkumar

...Petitioner

Vs.

- 1.The Chief Controller of Mines,
Indian Bureau of Mines,
C4A Complex, Rajaji Bhavan,
Besant Nagar, Chennai.
- 2.The Regional Controller of Mines,
Indian Bureau of Mines,
C4A Complex, Rajaji Bhavan,
Besant Nagar, Chennai.
- 3.The Controller of Mines,
Indian Bureau of Mines,
New Secretariat Building,
Nagpur.
- 4.The Secretary,
Ministry of Mines,
Shastri Bhavan, New Delhi.
- 5.The Director of Mines Safety,
Oorgaum, Karnataka State.
- 6.The Director,
Central Vigilance Commission,
A-Block, GPO Complex,
Satarkta Bhavan, New Delhi.
- 7.The Director,
Vigilance and Anti-Corruption, Chennai.
- 8.The Director,
Department of Geology and Mining,
State of Tamil Nadu,
Thiru.Vi.Ka Industrial Estate, Guindy,
Chennai-32.
- 9.The District Collector, Karur District,
Karur.
- 10.The Assistant Director,
Department of Geology and Mining,



Karur District, Karur.

11.The District Revenue Officer,
Karur District, Karur.

12.The Revenue Divisional Officer,
Kulithalai, Karur District.

13.The Tahsildar,
Kadavur Taluk, Kadavur,
Karur District.

14.The Branch Manager,
Indian Overseas Bank, Kaliyanoor Branch,
Pallipalayam, Namakkal District.

15.G.Selvaraj

16.The Principal Secretary to Government,
Industries Department,
Secretariat, State of Tamil Nadu, Fort St.George,
Chennai 600 009. ...Respondents

(Respondent No.16 is suo motu impleaded as per
the order of this Court in W.P.(MD).No.8294 of 2020 dated
25.08.2020)

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 14 to initiate suitable action as against the 15th respondent on the basis of the petitioner's representation dated 16.06.2020.

For Petitioner : Mr.S.Madhavan

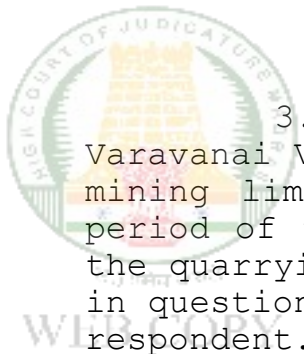
For R-7 to R-13 : Mr.M.Rajarajan
R-16 Additional Government Pleader

For R-1 to R-6
R-14 & R-15 : Dispensed with

ORDER

Heard the learned counsel on either side.

2.The Principal Secretary to Government, Industries Department, Secretariat, State of Tamil Nadu, Fort St.George, Chennai 600 009, is suo motu impleaded as 16th respondent in this Writ Petition. Mr.M.Rajarajan, learned Additional Government Pleader takes notice for the newly impleaded 16th respondent.



3. The writ petitioner was the owner of certain lands in Varavanai Village, Kulithalai Taluk, Karur District. He obtained for mining limestone. The lease was given on 30th March 2001 for a period of twenty years. The petitioner states that he had stopped the quarrying operations in the year 2012 itself. He sold the lands in question in favour of one Selvaraj, who has been shown as the 15th respondent. The petitioner states that even thereafter his signatures have been forged and the private respondents are continuing to operate the lease. Therefore, the petitioner has given a representation dated 16.06.2020 for initiating action in this regard. Since the official respondents did not respond, this Writ Petition came to be filed.

4. When the matter was taken up for hearing, the learned Additional Government Pleader on instructions submitted that the District Collector, Karur District, vide letter dated 12.03.2020 had sent a proposal to the Government to cancel the mining lease.

5. The impleaded 16th respondent has to take a call in the matter. The 16th respondent is directed to pass final orders on the proposal sent by the District Collector, Karur, in this regard, within a period of six weeks from the date of receipt of a copy of this order. Notice to the respondent Nos.1 to 6, 14 and 15 is dispensed with in view of the nature of the order to be passed herein. I make it clear that I have not gone into the merits of the matter. All that I have directed is expediting the entire process at the hands of the Government.

6. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director,

Vigilance and Anti-Corruption, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>

