

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.842 of 2021

&

WMP.No.911 of 2021

Senthilkumar Mani

...

Petitioner

Vs.

The District Collector,
District Collector Office,
Collectorate Road,
Namakkal - 637 001.

...

Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondent to consider the representation dated 22.12.2020 given by the petitioner and direct expeditious disposal of the petitioner's appeal dated 30.04.2018 pending before the Respondent in accordance with law and relevant Government orders after affording due opportunity to the petitioner.

For Petitioner : Mr.K.Anant

For Respondents : Mr.Akhil Akbar Ali,
Government Advocate

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 22.12.2020 seeking for early disposal of the petitioner's statutory appeal dated 30.04.2018 which is pending on the file of the respondent in accordance with law within a time frame to be fixed by this Court.

2. Mr.Akhil Akbar Ali, learned Government Advocate accepts notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that aggrieved by the imposition of penalty by the Sub Collector under the Mines and Minerals Act, the petitioner has preferred a statutory

appeal before the respondent on 30.04.2018. He has given a representation to the respondent on 22.12.2020 seeking for early disposal of the appeal. Despite the same, the appeal is still pending on the file of the respondent. In such circumstances, this writ petition has been filed.

4. Heard Mr.K.Anant, learned counsel for the petitioner and Mr.Akhil Akbar Ali, learned Government Advocate for the respondent.

5. The relief sought for in this writ petition is an innocuous one. No prejudice will be caused to the respondent, if the petitioner's representation dated 22.12.2020 seeking for early disposal of the statutory appeal pending on the file of the respondent is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondent to dispose of the statutory appeal filed by the petitioner under the Mines and Minerals Act in S.L.585/L²Um/2016 and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petitions is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

The District Collector,
District Collector Office,
Collectorate Road,
Namakkal - 637 001.

+2cc to M/s.S.Varsha, Advocate SR.2079
+1cc to the Government Pleader SR.2583

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CP(CO)
CB(09/02/2021)