



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.1429, 1430, 1432,
1434 & 1435 of 2021

S.Rajammal	...Petitioner in WP.No. 1429 of 2021
S.Subramaniam	...Petitioner in WP.No. 1430 of 2021
Jitender Khanna	...Petitioner in WP.No. 1432 of 2021
R.Ashokkumar	...Petitioner in WP.No. 1434 of 2021
P.Amit Kumar Sonthalia	...Petitioner in WP.No. 1435 of 2021

Vs

1. The District Collector,
Tiruppur District,
Tiruppur.
2. The Deputy Director,
Geology and Mines Department,
Tiruppur Collectorate,
Tiruppur.
3. The District Revenue Officer,
Tiruppur.
4. The Revenue Divisional Officer,
Tiruppur.

5. K.Muthusamy ...Respondents in all W.Ps.

Common Prayer: These Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4, to not extend the mining license bearing No.508/Minerals/2015, dated 21.09.2016 of the 5th respondent, based upon the petitioners' representations, dated 12.12.2020, 12.12.2020, 01.01.2021, 12.12.2020 and 12.12.2020.

For Petitioners in all W.Ps	: Mr.A.Manojkumar
For Respondent in all W.Ps	: Mr.G.Krishnaraja, Government Counsel (for R1 to R4) Mr.M.Muthappan (for R5)



COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents 1 to 4 not to extend the mining licence bearing No.508/Minerals/2015, dated 21.09.2016 granted to the 5th respondent, based upon the petitioners' representations, dated 12.12.2020, 12.12.2020, 01.01.2021, 12.12.2020 and 12.12.2020.

2. It is the grievance of the petitioners that the petitioners' representations questioning the quarry operation of the 5th respondent have not been considered by the respondents, till date. Hence, these Writ Petitions.

3. Upon notice, the respondents filed a detailed counter affidavit inter alia stating that based on the petitioners' representations, the Revenue Divisional Officer, Tiruppur was directed to inspect the subject property with the help of Firka Surveyor and file a report. For better appreciation, the relevant paragraph of the counter affidavit is extracted below:

"7.....it is submitted that based on the petitioners representation, the Revenue Divisional Officer, Tiruppur vide letter R.c.No.1102/Mines/2017, dated 25.01.2021, has been directed to inspect the subject area to verify the boundaries with the help of Firka Surveyor to find out any illegal quarrying in S.F.No.208/2 of Morattupalayam Village. The report from Revenue Divisional Officer is awaited. Further, as of now no application was received to extend the subject quarry in S.F.Nos.209/1A (P), 209/1B (P), 209/2 of Morattupalayam in question. Hence, the question of extension of lease does not arise at this stage. After the expiry of lease, if the respondent 5 or any other person apply for lease in subject area, the representation of the petitioner 1 to 5 will be taken into consideration as per the existing Act and Rules in force. "

4. In the light of averment made in the counter affidavit filed by the respondent authorities, this Court is of the opinion that no further orders are required in this Writ Petition, except recording the same. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar



vum

To

1. The District Collector,
Tiruppur District, Tiruppur.
2. The Deputy Director,
Geology and Mines Department,
Tiruppur Collectorate, Tiruppur.
3. The District Revenue Officer,
Tiruppur.
4. The Revenue Divisional Officer,
Tiruppur.

+2 CCs to M/s.A.Manoj Kumar, Advocate, Sr.No. 40588.

+1 CC to M/s.M.Muthappan, Advocate, Sr.No. 39982.

+1 CC to The Government Pleader, Sr.No. 40408.

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KSM(CO)
LS(15/09/2021)