

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.02.2021
CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.2371 of 2021

Galaxy Enterprises,
Rep. by its Proprietor S.R.Kumar,
4B, Jeypur Terrace,
354, Avvai Shanmugam Salai,
Gopalapuram, Chennai - 600 086.

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Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by Secretary to Government
Industries Department,
Fort St. George, Chennai - 600 009.

2.The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai - 600 032.

3.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

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Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the first respondent to consider and dispose of the Renewal Application of the petitioner dated 26.11.2002 in respect of the granite quarry in S.F.No.46/2 admeasuring 1.57.50 Hectares in Nachanandal Village, Thiruvannamalai Taluk, Thiruvannamalai District formerly Thiruvannamalai Samburvarayar District on merits and in accordance with law within the time frame to be fixed by this Court.

For petitioner

... Mr.V.Sanjeevi

For respondents

... Mr.Akhil Akbar Ali

Government Advocate

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ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to consider and dispose the renewal application of the petitioner dated 26.11.2002 in respect of granite quarry in SF.No.46/2 admeasuring 1.57.50 Hectares in Nachanandal Village, Thiruvannamalai Taluk, Thiruvannamalai District within a time frame to be fixed by this Court.

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

3. It is the case of the petitioner that he was granted mining lease by the respondents which expired on 16.09.2000. According to the petitioner, even before the expiry of the mining lease, he had sought for renewal of mining lease. However, the same was not considered till date. The petitioner has also filed a renewal application on 26.11.2002 seeking for renewal which was not considered by the respondents. In such circumstances, the petitioner has filed this writ petition.

4. Heard Mr.V.Sanjeevi, learned counsel for the petitioner and Mr.Akhil Akbar Ali, learned Government Advocate for the respondents.

5. The relief sought for in this writ petition is an innocuous one. The petitioner is having a mining lease which expired on 16.09.2000. According to the petitioner, even before the expiry of the mining lease, he had sought for renewal. It is the case of the petitioner that till date his renewal application has not been considered. According to the petitioner, he also submitted a renewal application on 26.11.2002 seeking for renewal of the mining lease. Admittedly, the said renewal application has not been considered by the respondents till date.

6. No prejudice will be caused to the respondents, if the renewal application of the petitioner is considered on merits and in accordance with law after hearing all the necessary parties including the petitioner.

7. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 26.11.2002 seeking for renewal of mining lease in respect of granite quarry in SF.No.46/2 admeasuring 1.57.50 Hectares in Nachanandal Village, Thiruvannamalai Taluk, Thiruvannamalai District and pass final orders on merits and in accordance with law after hearing all the necessary parties including the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS.III)

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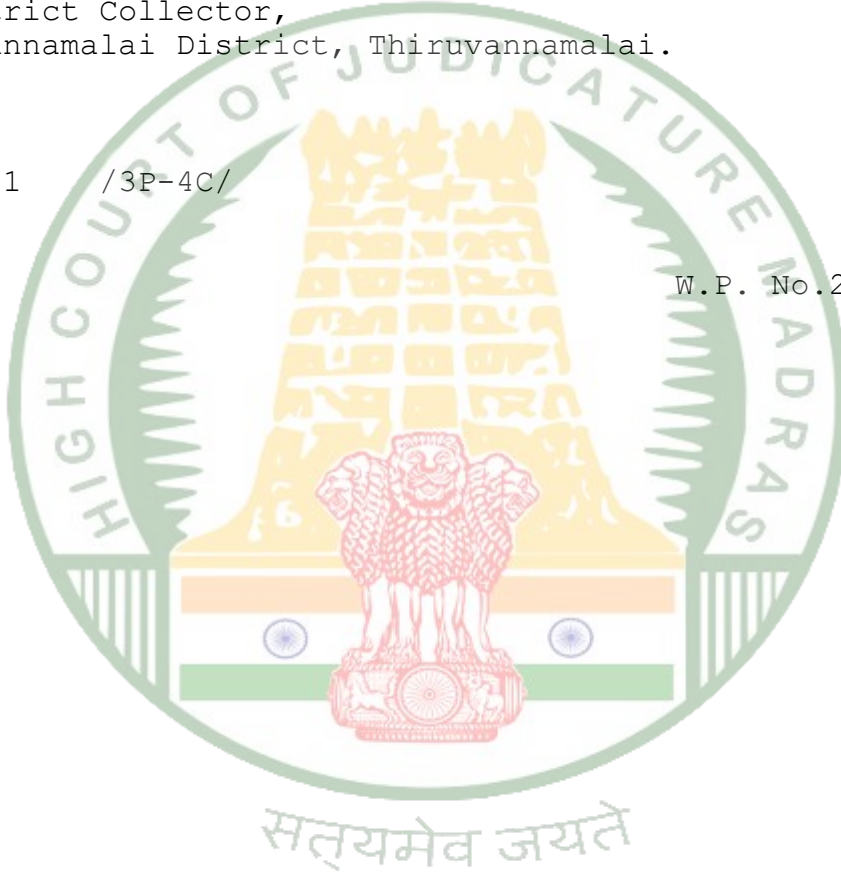
Sub Assistant Registrar

To

- 1.The Secretary to Government
Government of Tamil Nadu,
Industries Department,
Fort St. George, Chennai - 600 009.
- 2.The Director of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai - 600 032.
- 3.The District Collector,
Thiruvannamalai District, Thiruvannamalai.

AKM/24.2.21 /3P-4C/

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