



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.NO.1546/2018 AND CMP.NOS.12507 AND 12508/2018

1. The State of Tamil Nadu
rep. by Secretary to Government,
Industries Department,
Fort St. George, Chennai-9

2. The District Collector,
Madurai District,
Madurai.

3. The Assistant Director of Geology and
Mining, Madurai.

... Appellants/
Respondents

-vs-

M/s.K.S.N.Company
rep. by its Proprietor
Mr.A.G.Gopal,
No.1 Sarojini Street,
T.Nagar, Madras-600 017.

... Respondent/
Petitioner

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the Common Order of the learned Single Judge made in W.P.No.11278 of 1998 dated 22.11.2006.

Prayer in W.P.No.11278 of 1998:-

Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent pertaining to G.O.(D)No.193 Industries (MMB1) Department dated 22.06.1998 quash the same and direct the respondents not to interfere with the petitionr's right to quarry and transport and mineral on payment of necessary seigniorage from the quarry lands measuring 1-50 acres, comprised in survey No.132/1 situated in Erravarapatti Village, Usilampatti Taluk, Madurai district till the expiry of the present lease period i.e. till 27.07.2005.



WEB COPY

For Appellants : Mr.T.Arun Kumar,
Government Advocate

For respondent : Mr.K.Ramakrishna Reddy

JUDGMENT

(Judgment of the Court was pronounced by T.RAJA.J)

This Writ Appeal has been directed against the order of the learned Single Judge made in W.P.No.11278 of 1998 dated 22.11.2006.

2. When this Writ Appeal was called, learned Counsel on either side jointly submitted that in view of the observation made by the Hon'ble Apex Court in its order dated 10.07.2015 in SLP (C) No.17451/2015, following the same, the present Writ Appeal may be disposed of.

3. In this regard, it is pertinent to extract the relevant portion here under:

'Permission to file special leave petition is granted.

Dismissed.

However, we grant three weeks' time to the petitioners to approach the authority concerned, if they so desire, inter alia, taking up all such objections which are available to them, including the grounds raised in these special leave petitions.

The authority concerned shall decide the lis between the parties without being influenced by the affidavit filed before the High Court or any of the observations made by the High Court.

The authority concerned shall complete the entire proceedings within two months' time from today.'

4. In view of the above, following the order of the Apex Court dated 10.07.2015 passed in SLP (C) No.17451/2015, the present Writ Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

tsi

Sub Assistant Registrar



To

1. The Secretary to Government,
State of Tamil Nadu,
Industries Department,
Fort St. George, Chennai-9
2. The District Collector,
Madurai District,
Madurai.
3. The Assistant Director of Geology and
Mining, Madurai.

+1cc to the Government Pleader, S.R.No.41726

W.A.No.1546/2018

BR(CO)
PM/14/09/2021