

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2021

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.10218 of 2021

S.Kaushik Prabhu

...Petitioner

Vs

1. The District Collector,
Namakkal District,
Namakkal.

2. The Deputy Director of Geology and Mining,
O/o.District Collectorate,
Namakkal

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to execute the lease agreement in respect of the stone quarry measuring 2.45.0 Hec(Karadu), comprised in Survey No.1(Part) (bit-1B) (Southern Side) situated in Kondappanayakkanpatti Village, Sendhamangalam Taluk, Namakkal District, by considering the petitioner's representations dated 26.12.2020 and 05.02.2021

For Petitioner : Mr.K.Ramakrishna Reddy

For Respondent-1 : Mr.R.A.Senthilvel, AGP

For Respondent-2: Mr.Akhil Akbar Ali, Govt.Advocate

ORDER

The petitioner has come up with this Writ Petition seeking a direction to the first respondent to execute the lease agreement in respect of the stone quarry measuring 2.45.0 Hec (Karadu), comprised in Survey No.1(Part) (Bit-1B) (Southern Side) situated in Kondappanayakkanpatti Village, Sendhamangalam Taluk, Namakkal District, by considering his representations dated 26.12.2020 and 05.02.2021.

2. It is the case of the petitioner that the first respondent had invited tender applications for leasing out of stone quarry 2.45.0 Hec (Karadu), comprised in Survey No.1 (Part) (Bit-1B) (Southern Side) situated in

Kondappanayakkanpatti Village, Sendhamangalam Taluk, Namakkal District. The petitioner participated in the said tender and he became the successful bidder in respect of the subject quarry. He paid the entire bid amount of Rs.71 lakhs including the Earnest Money Deposit amount of Rs.25,000/-. He has also paid the security deposit amount of Rs.14,20,000/-. He complied with all the statutory requirements for execution of the lease agreement. The petitioner sent a letter to the first respondent on 26.12.2020 requesting him to execute the lease agreement. Since there was no response from the first respondent, the petitioner sent another representation on 05.02.2021 seeking for the same relief. As the first respondent did not execute the lease agreement till date, inspite of two representations of the petitioner, the present Writ Petition has been filed.

3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the first respondent to consider the petitioner's representations dated 26.12.2020 and 05.02.2021 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and by affording them an opportunity of personal hearing or virtual hearing, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

srn

To

1. The District Collector,
Namakkal District,
Namakkal.

2. The Deputy Director of Geology and Mining,
O/o.District Collectorate,
Namakkal

+lcc to Mr.K.Ramakrishna Reddy, Advocate SR.No.24897

+lcc to Government Pleader SR.No.25306

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RR(CO)
GMY(22/06/2021)



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