

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.16392 of 2019

S.Aruldas

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Petitioner

Vs.

1. The District Collector,
Salem District, Salem.

2. The Deputy Director of Geology and Mining,
Geology and Mining Department,
Salem, Salem District.

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the first respondent herein to consider and pass orders on the application preferred by the petitioner dated 22.02.2019 under Rule 19 of the Tamil Nadu Minor Mineral Concession Rules, 1959, seeking for grant of mining lease to quarry rough stone in Survey No.28/2, Olakkachinnanur Village, Sankari Taluk, Salem District.

For Petitioner : Mr.G.Arul Murugan

For Respondent-1 : Mr.V.Shanmugasundar, Spl.G.P

For Respondent-2 : Mr.Akhil Akbar Ali

Government Advocate

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the first respondent to consider and pass orders on the application preferred by the petitioner dated 22.02.2019 under Rule 19 of the Tamil Nadu Minor Mineral Concession Rules, 1959 seeking for grant of mining lease to quarry rough stone in Survey No.28/2, Olakkachinnanur Village, Sankari Taluk, Salem District.

2. The petitioner has sought for mining lease to quarry rough stone in Survey No.28/2 in the aforementioned property, by

his application submitted before the first respondent. Admittedly, in the said application, no final orders have been passed by the first respondent.

3. Heard Mr.G.Arul Murugan, learned counsel for the petitioner, Mr.V.Shanmugasundar, learned Special Government Pleader appearing on behalf of the respondent-1 and Mr.Akhil Akbar Ali, learned Government Advocate appearing on behalf of the respondent-2.

4. Mr.Akhil Akbar Ali, learned Government Advocate appearing for the second respondent, on instructions, would submit that the application of the petitioner will be considered on merits and in accordance with law, within a time frame to be fixed by this Court. The submission made by the learned Government Advocate appearing for the second respondent is also supported by the counter affidavit filed by the first respondent before this Court.

5. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application dated 22.02.2019 filed under Rule 19 of the Tamil Nadu Minor Mineral Concession Rules, 1959 seeking for grant of mining lease to quarry rough stone in Survey No.28/2. Olakkachinnanur Village, Sankari Taluk, Salem District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

srn

To

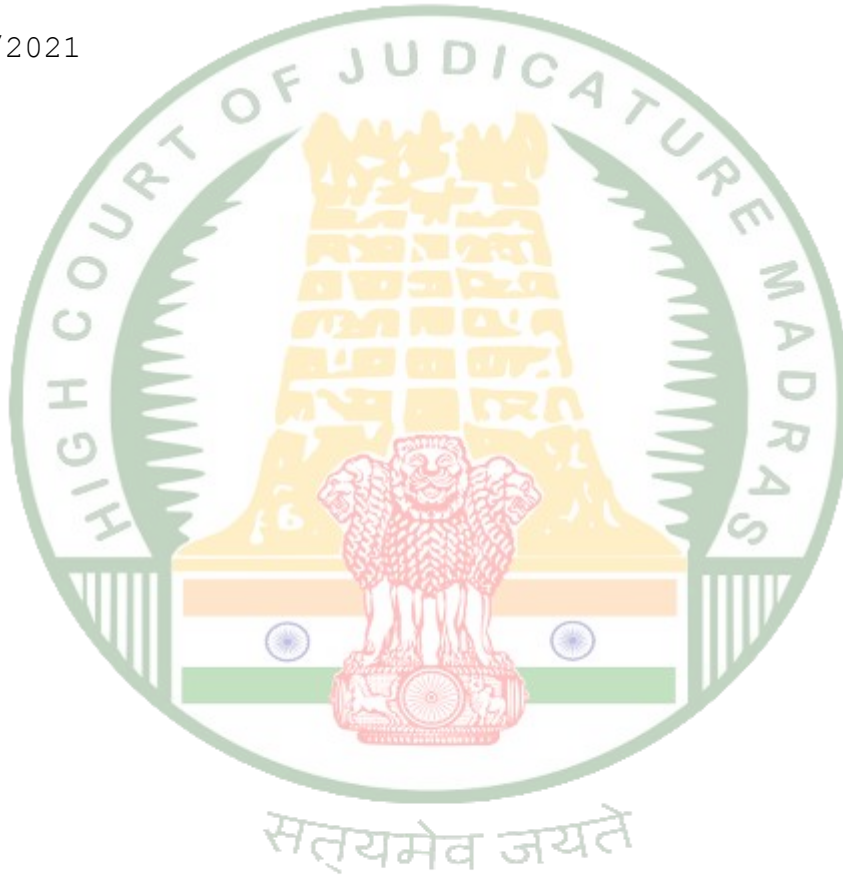
1. The District Collector,
Salem District, Salem.

2. The Deputy Director of Geology and Mining,
Geology and Mining Department,
Salem, Salem District.

+1cc to M/s.G.Arul Murugan, Advocate Sr.14322
+1cc to the Government Pleader Sr.14249

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srg 24/03/2021



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