



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.07.2021**

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.12727 of 2021

S.Santhanam

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai Collectorate Office,
Madurai.

2.The Tahsildar,
Madurai North Taluk,
Madurai Collectorate Office Campus,
Madurai.

3.The Deputy Director,
Mines and Minerals,
Madurai Collectorate Office Campus,
Madurai.

4.The Sub-Treasury Officer,
Madurai North,
Madurai Collectorate Office Campus,
Madurai.

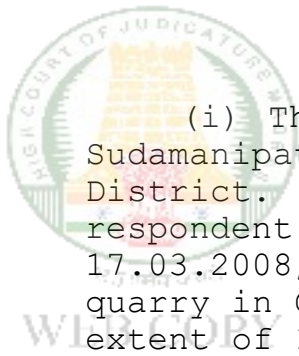
... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to return the security deposit amount Rs.64,350/- with appropriate interest from the date of the petitioner's application, dated 13.06.2016 till realization to the petitioner on the basis of the petitioner's representation, dated 11.12.2020.

For Petitioner : Mr.N.Palanisamy
For Respondents : Mr.P.Thilak Kumar
Govt.Advocate

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, to direct the respondents to return the security deposit amount of Rs.64,350/- with appropriate interest from the date of the petitioner's application, dated 13.06.2016, till realization to the petitioner, on the basis of the petitioner's representation, dated 11.12.2020.



(i) The grievance of the petitioner is that he is residing at Sudamanipatti Village, Vanchinagaram Post, Melur Taluk, Madurai District. The petitioner applied for Mining lease before the 1st respondent and same was granted in Na.Ka.No.172/2008/Mineral, dated 17.03.2008, for the period from 15.04.2008 to 14.04.2013, for stone quarry in Government Puramboke, comprised in S.No.16/3 (Part) to an extent of 1.00.0 Hectare area, situated at Katchirayanpatti Village, Melur Taluk, Madurai District. The petitioner deposited a sum of Rs.64,350/-, on 10.04.2008, as security deposit, for the mining lease provided. On completion of lease period on 14.04.2013, for stone quarry in Government Puramboke, the petitioner made an application on 13.06.2016 to the 1st Respondent, for return of security deposit amount of Rs.64,350/-.

(ii) It is the further case of the petitioner that on the report of the 3rd Respondent, the 1st Respondent has passed orders for return of security deposit of Rs.64,350/- to the petitioner, vide his order dated 23.11.2016 and pursuant to the same, the respondents 1 and 2, vide order dated 10.04.2017, directed the 4th respondent for payment of the said security deposit, but the same was not paid. Subsequently, the 2nd respondent, vide a Memo dated 21.12.2020, informed to the petitioner to submit his Bank Account statement for the period April 2017 to December 2020. On verifying the same, once again the 2nd respondent directed the 4th respondent for refund of the said amount, but no payment has been effected. Therefore, the petitioner sent a legal notice on 17.02.2021 to the respondents seeking immediate disbursement of Rs.64,350/- with interest. Even after the same, the respondents are acting like a silent spectator in this issue. Hence, the petitioner is before this Court for the aforesaid relief.

3. The learned Government Advocate appearing for the respondents would state that the competent authority to decide the matter on issue is the Tahsildar South, Madurai Taluk, Madurai. But the petitioner has given a representation to the Tahsildar North, Madurai Taluk, Madurai. If the petitioner approaches and submit a representation to the Tahsildar South, the same will be considered, within a time frame to be stipulated by this Court.

4. In view of the above submission made by the learned Government Advocate, this Court, directs the petitioner to submit a fresh representation to the Tahsildar South, Madurai Taluk, Madurai, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the Tahsildar South, Madurai, is directed to dispose of the representation of the petitioner, on merits and in accordance with law, within a period of four weeks thereafter.



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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MPK

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
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+1 CC to M/s.N.PALANISAMY, Advocate (SR-24753[F] dated 30/07/2021)

W. P (MD) No. 12727 of 2021
29.07.2021

LS(CO)
LR (09.08.2021) 3P 6C