



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD)No.15356 of 2021

WEB COPY

Shiras Edavan Kuzhi

... Petitioner

Vs.

1.The District Collector,
Dindigul.

2.The Assistant Director,
Mines and Minerals Department,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st and 2nd respondents to pass appropriate final orders for the purpose of quarrying in S.No.328/3 at Muthunaickenpatti Village, Palani Taluk, Dindigul District within the time frame that may be fixed by this Court by considering the petitioner's application on 23.09.2020.

For Petitioner : Mr.Niranjana S.Kumar

For Respondents : Mr.D.Ghandiraj

Counsel for State

ORDER

The petitioner seeks the expeditious disposal of an application filed before the first respondent for a licence to undertake quarrying.

2.The petitioner states that upon submission of an application for a licence, the second respondent, by proceedings dated 23.09.2020, directed the Tahsildar, Palani to conduct an inspection and submit a report with regard to the feasibility of quarrying at the proposed site. Based on such instructions, the Tahsildar, Palani, by proceedings dated 30.09.2020, directed the Revenue Inspector and Village Administrative Officer of Muthunayakkanpatti Village to submit a report. Pursuant thereto, a detailed report was sent by the Revenue Inspector. Upon receipt thereof, it is stated that the Tahsildar, Palani has also given a report recommending permission to undertake quarrying. The petitioner also states that the requisite A1 notice was issued by



the Village Administrative Officer and none of the villagers raised any objections in response thereto.

3. Consequently, it is stated that all the prerequisites in relation to the grant of permission for quarrying have been completed. However, in spite of the completion of all the prerequisites, it is stated that the application is pending from September, 2020. The present writ petition is filed in these facts and circumstances.

4. Mr. D. Ghandiraj, learned Counsel for the State, accepts notice on behalf of both the respondents. He submits that it is necessary to array the local authority as a party in this writ petition. He also submits that the decision making process would take a minimum of four weeks.

5. In the above facts and circumstance, without going into the merits of the matter, the first respondent herein is directed to consider the application dated 23.09.2020 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and any others who may be affected by such decision. Such reasoned order shall be issued within a period of thirty days from the date of receipt of a copy of this order. W.P. (MD).No.15356 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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,
Dindigul.

2.The Assistant Director,
Mines and Minerals Department,
Dindigul.

+1 CC to M/s.NIRANJAN.S.KUMAR, Advocate (SR-27557[F] dated
27/08/2021)

+1 CC to M/s.SPL GP (SR-27539[F] dated 27/08/2021)

W.P (MD) No.15356 of 2021
26.08.2021

DJ(CO)
SB(03.09.2021) 3P 5C