



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.16150 of 2021

M/s. United Blue Metals Associates,
Rep. by its Managing Partner,
Ajeesh

...Petitioner

-Vs-

1.The Commissioner,
Department of Geology and Mining,
Guindy, Chennai - 32

2.The District Collector,
District Collectorate Office,
Thoothukudi District.

3.The Assistant Director,
Department of Geology and Mining,
Thoothukudi.

4.The Revenue Divisional Officer,
DRO Office,
Kovilpatti,
Thoothukudi District.

5.The Tahsildar,
Kayatharu,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to consider the petitioner's representation, dated 30.07.2021 to grant the License/Quarry Lease of the Rough Stone, Jelly and Gravel Quarry in his Patta land, in the eastern side, to an extent of 1.82.0 Hectares among 3.27.0 Hectares, situated in S.No.166/1A at Koppampatti village, Kovilpatti Taluk, Kayatharu, Thoothukudi District.



For Petitioner : Mr.S.Senthil Kumar
For Respondents : Mr.D.Ghandiraj
Government Advocate

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O R D E R

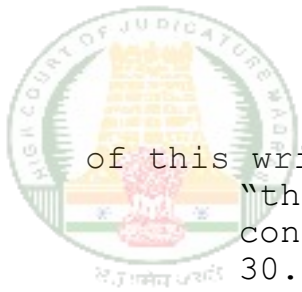
Prayer sought for herein is for a Writ of Mandamus, directing the 2nd and 3rd respondents to consider the petitioner's representation, dated 30.07.2021 to grant the License/Quarry Lease of the Rough Stone, Jelly and Gravel Quarry in his Patta land, in the eastern side, to an extent of 1.82.0 Hectares among 3.27.0 Hectares, situated in S.No.166/1A at Koppampatti village, Kovilpatti Taluk, Kayatharu, Thoothukudi District.

2.The case of the petitioner is that, the petitioner purchased the property situated in S.No.166/1A to the extent of 1.82.0 Hectares at Koppampatti Village, Kovilpatti Taluk, Kayatharu, Thoothukudi District. In that land, in order to quarry the Rough Stone, Jelly and Gravel, the petitioner had made an application for getting permission and license from the respondents, and the same to some extent, having been processed, some recommendatory report also seems to have been given to the authority concerned, however, the same has not been further proceeded, and in this context, the petitioner has given a latest representation on 30.07.2021 to all the respondents separately. However, those representations, since have not been considered, he has approached this court by filing the present writ petition.

3.Heard Mr.S.Senthil Kumar, learned counsel appearing for the petitioner, who, having reiterated the above said facts would seek indulgence of this court to issue a suitable direction to the respondents.

4.Heard, Mr.D.Gandhiraj, learned Government Advocate, appearing for the respondents, who would submit that, though the petitioner has given a representation on 30.07.2021 to the respondents, the proper authority to consider the same is the second respondent/District Collector, by whom, the representation would be considered, and if at all, the petitioner is eligible and entitled to get the quarry permit as sought for, that would be considered, other wise, it may be rejected, in accordance with the relevant Rules, any how, the representation given by the petitioner would be considered, on merits and would be decided by the second respondent within a reasonable time that may be stipulated by this Court.

5.Having considered the aforesaid submissions of the learned counsel appearing for both parties, especially, the learned Government Advocate, and by taking into account of innocuous nature of the prayer sought for herein, this Court is inclined to dispose



of this writ petition with the following orders:

"that the second respondent is hereby directed to consider the representation of the petitioner, dated 30.07.2021, with regard to his plea to get a quarry permit for his patta land, as referred to therein, and pass orders on merits and in accordance with law, within a period of six (6) weeks, from the date of receipt of a copy of this order."

6. With these directions, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PNM/PJL

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 Commissioner,
Department of Geology and Mining,
Guindy,
Chennai - 32
2. The District Collector,
District Collector Office,
Thoothukudi District.
3. The Assistant Director,
Department of Geology and Mining,
Thoothukudi.
4. The Revenue Divisional Officer,
DRO Office,
Kovilpatti, Thoothukudi District.



5.The Tahsildar,
Kayatharu,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-28705[F] dated 09/09/2021)

W.P. (MD) No.16150 of 2021

Dated:
08.09.2021

NA (CO)
KB (24.09.2021) 4P 7C