



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18783 of 2020

V.Christudhas

... Petitioner

Vs.

1.The District Collector,
Kanniyakumari,
Nagercoil - 629001.

2.The Assistant Director,
Geology and Mining Department,
Nagercoil - 629 001,
Kanniyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to grant extension of lease period of the quarry in S.F.No.656/2A2 at Killiyoor Village, Vilavancode Taluk, Kanniyakumari District to the petitioner for further 6 months by implementing the Gazette of India notification dated 27.11.2020 for completing the most required and essential time-bound Government projects in the District of Kanniyakumari.

For Petitioner : Mr.I.Abrar Md. Abdullah
For Mr.D.Gopal

For Respondents : Mr.B.Bhagawathi,
Government Advocate.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

2.The petitioner was granted lease for an extent of 2.69.5 hectares to quarry rough stone in the petition mentioned lands. It is petitioner's patta land. The license was given for a period of five years. The petitioner states that on account of Covid-19 pandemic, his operational activities were drastically affected. The petitioner therefore wants extension of his lease period, so that he can fulfill certain contractual obligations. It appears that the petitioner had entered into a supply agreement with one Sripathy Associates Private Limited. It is also seen that originally the



authority competent to consider the petitioner's request was the first respondent but now it is only the second respondent who is competent to pass orders on the petition mentioned representation.

3.The learned Government Advocate states that the second respondent will consider the petitioner's request on merits and in accordance with law and pass final orders within a period of three weeks from the date of receipt of a copy of this order.

4.Recording the said submission, the second respondent is directed to consider the petitioner's request for extension of lease period by considering his representation. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Kanyakumari,
Nagercoil - 629001.

2.The Assistant Director,
Geology and Mining Department,
Nagercoil - 629 001,
Kanyakumari District.

+1 CC to M/s.GP (SR-3497[F] dated 05/02/2021)

+1 CC to M/s.J.SENTHIL KUMARIAH, Advocate (SR-3448[F] dated 05/02/2021)

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