



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.27745 of 2017

and

W.M.P. Nos. 29712 & 29713 of 2017

M.Kannu Paiyan,
S/o. Murugesan

...Petitioner

Vs.

1. The District Collector,
Salem District,
Salem.

2. The Assistant Director,
Geology and Mines,
Salem.

3. The Special Tahsildar,
Mines, Salem.

4. The Village Administrative Officer,
Chettychavadi Village,
Salem and District.

...Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order dated 27.10.2015 made in Na.Ka.205/2015/Mines-A on the file of the 1st respondent and quash the same and consequently direct the respondents to release the two vehicles bearing Regn. Nos.TN-28-U-4039 and Ex.60 Hittachi Brookline.

For Petitioner : Mr.B.Gopalakrishnan
for Mr.B.Kumarasamy

For Respondents: Mr.K.M.D.Muhilan,
Government Advocate

O R D E R

The Writ Petition has been filed challenging the order passed by the 1st respondent and consequently direct the respondents to release two vehicles.



2. Earlier, this Court directed the petitioner to approach the 1st respondent District Collector and file necessary application for compounding the offence.

3. Today, when the matter taken up for hearing, it is submitted that, even though the petitioner submitted the application before the 1st respondent seeking for compounding of offence under Sec.23-A of Tamil Nadu Mines and Mineral Concession Rules, that application is yet to be disposed of.

4. In the above circumstances, the 1st respondent District Collector is directed to consider the petitioner's application and pass suitable orders on merits and in accordance with law within a period of four weeks from the date of receipt of copy of this order. Thereafter, the petitioner is directed to approach the concerned court seeking to release the vehicles. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The District Collector,
Salem District, Salem.
2. The Assistant Director,
Geology and Mines, Salem.
3. The Special Tahsildar,
Mines, Salem.
4. The Village Administrative Officer,
Chettychavadi Village,
Salem and District.

+1cc to Mr.B.Kumarasamy, Advocate, S.R.No.19392
+1cc to the Government Pleader, S.R.No.19897

W.P.No.27745 of 2017

PM(CO)
RGA(19/05/2022)