



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.516 of 2022

Thirumurugan Mines,
Represented by its Proprietrix,
D.Sakthivel.

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli,
Tiruchirappalli District.

2.The Assistant Director,
Geology and Mining,
District Collectorate,
Tiruchirappalli,
Tiruchirappalli 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 respondents to issue transit pass to transport the quarried mines from the property situated in S.F.Nos.151/2,3, Pathalapettai Village, Thiruverumbur Taluk, Trichy District.

For Petitioner	:	Mr.Mahaboob Fazil for Mr.C.Prithviraj.
For Respondents	:	Mr.M.Senthil Ayyanar, Government Advocate.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to issue transit pass to transport the quarried mines from the property comprised in S.F.Nos.151/2, 3 situated at Pathalapettai Village, Thiruverumbur Taluk, Trichy District based on the petitioner's representation dated 22.11.2021.

2. A counter has also been filed by the respondents stating that only due to the pendency of an F.I.R against the petitioner in Crime No.1004 of 2021 dated 06.09.2021, the transit pass has not been issued to the petitioner.

3. Mere pendency of an F.I.R will not prohibit the second respondent from issuing transit pass. It is for the second



respondent to consider each and every case on merits and in accordance with law.

4. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner. The petitioner seeks for issuance of transit pass as referred to supra.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 22.11.2021 seeking for issuance of transit pass to transport the quarried mines from the property comprised in S.F.Nos.151/2, 3 situated at Pathalapettai Village, Thiruverumbur Taluk, Trichy District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The District Collector,
Tiruchirappalli,
Tiruchirappalli District.

2.The Assistant Director,
Geology and Mining,
District Collectorate,
Tiruchirappalli,
Tiruchirappalli District.

+1 CC to M/s.SPL.GP. (SR-18611[F] dated 13/04/2022)

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12.04.2022

NSN (CO)

KB(25.04.2022) 2P 4C