



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2787 of 2022

A.Nigilesan

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Assistant Director of Geology and Mining,
Thoothukudi District,
Thoothukudi.
- 3.The Revenue Divisional Officer,
Thoothukudi Revenue Divisional Officer,
Thoothukudi District.
- 4.The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.
- 5.The Village Administrative Officer,
Padmanabhamangalam Village,
Srivaikundam Taluk,
Thoothukudi District.
- 6.The Block Development Officer,
Srivaikundam,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pass order on the petitioner's application dated 18.03.2020 for grant of quarrying lease license in his name to quarry the rough stone from his patta land having an extent of 6 acres and 64 cents in Ayan Punja Survey Nos.1130/2 and 1131/1 situated at Padmanabhamangalam Village, Srivaikundam Taluk, Thoothukudi District, based on the recommendation and report dated 26.10.2021 of the 6th respondent.

For Petitioner	: Mr.P.Deepak
For R1 to R5	: Mr.P.Tilak Kumar, Government Pleader



O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to pass final orders on the petitioner's application, dated 18.03.2020, seeking for grant of quarrying lease license in the petitioner's name to quarry rough stone from the petitioner's patta land having an extent of 6 acres and 64 cents in Ayan Punja Survey Nos.1130/2 and 1131/1, situated at Padmanabhamangalam Village, Srivaikundam Taluk, Thoothukudi District, based on the recommendation and report, dated 26.10.2021 of the sixth respondent.

2.The petitioner claims that he is the owner of the aforementioned property. He has submitted an application dated 18.03.2020, before the first respondent seeking for grant of quarrying lease license over his property. According to him, the application was also forwarded by the first respondent to the second respondent and thereafter, the sixth respondent also inspected the petitioner's property. It is also the case of the petitioner that a recommendation was also given by the sixth respondent for grant of quarrying lease license in favour of the petitioner, based on the petitioner's application, dated 18.03.2020, which according to the petitioner, till date no final orders have been passed by the second respondent for granting quarrying lease license in favour of the petitioner. In such circumstances, this writ petition has been filed.

3.Heard Mr.P.Deepak, learned counsel for the petitioner and Mr.P.Tilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 to 5.

4.The relief sought for in this writ petition is an innocuous one. No prejudice would be caused to the respondents, if the petitioner's application dated 18.03.2020 is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

5.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application dated 18.03.2020 seeking for issuance of quarrying lease license in his favour to quarry rough stone from the petitioner's patta land having an extent of 6 acres and 64 cents in Ayan Punja Survey Nos.1130/2 and 1131/1, situated at Padmanabhamangalam Village, Srivaikundam Taluk, Thoothukudi District and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order.



6. With the aforesaid direction, this Writ Petition is disposed of. No costs.

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Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Assistant Director of Geology and Mining,
Thoothukudi District,
Thoothukudi.
3. The Revenue Divisional Officer,
Thoothukudi Revenue Divisional Officer,
Thoothukudi District.
4. The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.
5. The Village Administrative Officer,
Padmanabhamangalam Village,
Srivaikundam Taluk,
Thoothukudi District.
6. The Block Development Officer,
Srivaikundam, Thoothukudi District.

+1 CC to M/s.F.DEEPAAK, Advocate (SR-5520[F] dated 11/02/2022)

+1 CC to M/s.SPL GP (SR-5887[F] dated 14/02/2022)

ORDER MADE IN
W.P. [MD]No.2787 of 2022

11.02.2022

SS/24.02.2022 : 3P/9C