



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

CORAM

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.6314 of 2022

P.Rajkumar
through his Power Agent,
S.Jebarajan.

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Deputy Director,
Geology and Mines Department,
Madurai.

3.The State Level Environment Impact
Assessment Authority of Tamilnadu,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road,
Saidapet,
Chennai-600 015.

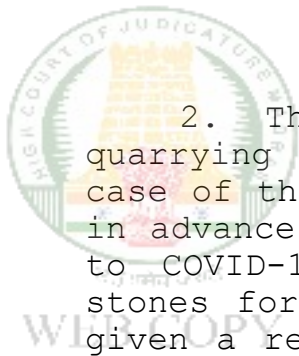
...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the first respondent to extend the period of license granted by the first respondent under proceedings in Na.Ka.No.1631/2015-Mineral dated 28.11.2016 in considering the representation of the petitioner dated 15.03.2022.

For Petitioner	:	Mr.K.Vinoharan
For R-1 and R-2	:	Mr.P.Thilak Kumar, Government Pleader.
For R-3	:	Mr.N.Dilipkumar

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the first respondent to extend the period of license granted by the first respondent for rough stone quarrying in favour of the petitioner based on the petitioner's representation dated 15.03.2022 within a time frame to be fixed by this Court.



2. The petitioner was granted license on 28.11.2016 for quarrying rough stones which will expire on 10.05.2022. It is the case of the petitioner that he has already paid the license charges in advance for the entire period. According to the petitioner, due to COVID-19 Government lockdown, he was unable to quarry rough stones for a period of six months. In such circumstances, he has given a representation on 15.03.2022 requesting the respondents to extend the license for a further period. Since the said representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.K.Vinoharan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the first and second respondents and Mr.N.Dilipkumar, learned counsel, who accepts notice on behalf of the third respondent.

4. No prejudice would be caused to the respondents, if the petitioner's representation seeking for extension of license on account of his inability to quarry rough stones due to COVID-19 Government lockdown is considered on merits and in accordance with law, after affording a fair hearing to the petitioner. The petitioner has also filed documents along with this Writ Petition to substantiate his case. It is for the respondents to examine the same and decide whether the petitioner is entitled for extension of license or not.

5. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation dated 15.03.2022 seeking for extension of license for a further period on account of the non-operation of his stone quarry due to COVID-19 Government lockdown 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, on or before 10.05.2022, when the petitioner's existing license comes to an end.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Madurai District,
Madurai.

2.The Deputy Director,
Geology and Mines Department,
Madurai.

+1 CC to M/s.SPL.GP (SR-17015[F] dated 06/04/2022)

+1 CC to M/s.N. DILIPKUMAR, Advocate (SR-17366[F] dated
07/04/2022)

+1 CC to M/s.G. PRABHU RAJADUAI, Advocate (SR-17228[F] dated
07/04/2022)

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RD(18.04.2022) 3P 6C