



W.P.No.2619 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.P.No.2619 of 2021

M.R.Viswanathan

.. Petitioner

Vs

1.The Principal Secretary to Government,
Industries (MMC.1) Department,
Fort St. George, Chennai-600 009.

2.The Director of Geology and Mining,
Guindy, Chennai-600 032.

3.The District Collector,
Tiruppur District, Tiruppur.

4.M.R.Mani

5.Uthukuli Stone Crusher and Quarry
Owners Association (Regn No.37/2016),
rep. by its President,
No.1/219-Four Road, Morattupalayam,
Uthukuli, Tiruppur-638 752.

.. Respondents

[Respondent No.5 impleaded as per order
dt. 7.9.2021 in WMP No.20274/2021]



W.P.No.2619 of 2021

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the entire records relating to the impugned G.O. issued by the first respondent in G.O.(D) No.9 Industries (MMC.1) Department, dated 25.01.2021 and quash the same and consequently direct the respondents 1 to 3 to extend the lease for another period of 10 months since the third respondent passed illegal order for stoppage of quarry operation.

For the Petitioner : Mr.C.Prakasam

For the Respondents : Mr.R.Shunmugasundaram
Advocate-General
assisted by
Mr.P.Muthukumar
State Government Pleader
and Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 3

: Mr.V.P.Sengottuvel
Senior Counsel
for Ms.K.Indu Priya
for respondent No.5

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.C.Prakasam, learned counsel for the petitioner; Mr.R.Shunmugasundaram, learned Advocate-General, assisted by Mr.P.Muthukumar, learned State Government Pleader along with Mrs.R.Anitha, learned Special Government Pleader for



W.P.No.2619 of 2021

respondents 1 to 3 and Mr.V.P.Sengottuvel, learned senior counsel for the fifth respondent.

2. Though there are prayers made with regard to the extension of lease for another period of ten months on the ground that illegal orders are passed, learned counsel for the petitioner submits that in view of the order of the second appellate authority, the petitioner has submitted his say to the show cause notice to the District Collector and the same is not yet decided by the District Collector and the District Collector be directed to decide the said appeal.

3. Learned State Government Pleader, on instructions, submits that the show cause notice issued to petitioner would be decided considering the say filed within a period of four weeks.

4. In view of the said statement, no further orders are necessary. In case the matter is decided against the petitioner, then the petitioner may assail the same as permissible under law.



W.P.No.2619 of 2021

5. The writ petition, accordingly, stands disposed of. There will be no order as to costs. Consequently, W.M.P.Nos.2941, 2942, 2944 of 2021 and 48 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

03.07.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

- 1.The Principal Secretary to Government,
Industries (MMC.1) Department,
Fort St. George, Chennai-600 009.
- 2.The Director of Geology and Mining,
Guindy, Chennai-600 032.
- 3.The District Collector,
Tiruppur District, Tiruppur.



WEB COPY



W.P.No.2619 of 2021

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

bbr

W.P.No.2619 of 2021

03.07.2023