



W.P.No.5282 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.5282 of 2023

and

W.M.P.No.11719 of 2023

P.G. 14, Gobi Taluk Bonded Laborers Rehabilitation,
Jally and Stone Workers Co-operative Societies Ltd.,
Rep by its President,
Thangaraj Duraiswamy,
Having Office at,
Malapalayam – 638 460,
Nambiyur Taluk,
Erode District.

... Petitioner

Vs.

- 1.The District Collector,
Office of District Collector,
Erode District.
- 2.The Deputy Director,
Geology and Mining,
Erode.
- 3.The Deputy Director,
Sathyamangalam Tiger Reserve,
Sathyamangalam Forest Range,
Sathyamangalam.



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4.The Revenue Divisional Officer,
Gobichettipalayam,
Erode.

5.The Tahsildar,
Nambiyur Taluk,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to renew/extend the lease period of quarrying in favour of the petitioner Society in respect of the lands situated at Survey No.23/3 Olakovil Gobichettipalayam Taluk, Erode District measuring an extent of 2.28.0 hectare of Government poromboke land based on the letter dated 07.10.2022 and communication of the third respondent dated 20.09.2022 within a time frame as may be fixed by this Court.

For Petitioner : M/s.V.Balamurugane

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

The Writ Petition is filed seeking for a Writ of Mandamus, to direct the first respondent to renew/extend the lease period of quarrying in favour of the petitioner Society in respect of the lands situated at Survey No.23/3 Olakovil Gobichettipalayam Taluk, Erode District measuring an extent of 2.28.0 hectare of Government poromboke land based on the letter dated



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07.10.2022 and communication of the third respondent dated 20.09.2022 within a time frame as may be fixed by this Court.

2. Though the petitioner filed W.M.P.No.11719 of 2023 seeking to fix an early date for hearing of the present writ petition, he is consented for the disposal of the main writ petition itself.

3. The case of the petitioner is that, it was a registered society under the Tamil Nadu Co-operative Societies Act, 1961 and was granted lease for quarrying vide registered lease deed dated 30.05.2016 and the lease deed commenced from 30.05.2016 to 29.05.2021. The said lease was for a period of 5 years for a lease amount of Rs.7,76,500/-, which was paid by the petitioner and the petitioner has been continuing quarrying operations ever since 30.05.2016. The main aim of the petitioner-Society is to provide job opportunities for bonded laborers. While so, when the lease came to an end on 29.05.2021, a representation dated 24.02.2021 was submitted by the petitioner seeking extension of lease period. The fourth respondent vide communication dated 04.10.2021 sought for a report from the Tahsildar in respect of several representations from the petitioner, last of which, was



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dated 24.08.2022. However, no order has been passed on the said representations by the third respondent. In spite of the fact that the third respondent has granted NOC vide communication dated 20.09.2022, no orders have been passed on the petitioner's representation to the first respondent dated 03.10.2022. Therefore, the petitioner has filed the above writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in the above writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the first respondent to renew/extend the lease period for quarrying in favour of the petitioner Society, within a time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that, the petitioner's representation dated 03.10.2022 seeking extension of lease period, will be considered and appropriate orders will be passed, within a stipulated time that may be fixed by this Court.



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6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the first respondent to consider the petitioner-Society's representation dated 03.10.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

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