



W.P.No.9678 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.9678 of 2023 and
W.M.P.Nos.9736 and 9738 of 2023

S.Revathi

...Petitioner

vs.

1. The District Collector,
Villupuram District,
Villupuram.

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the impugned order of the second respondent in Na.Ka.B/G & M/215/2022, dated 03/03/2023 and quash the same and consequently directing the respondents to permit the petitioner to quarry and transport the Mineral from the Blue Metal quarry to an extent of 2.16.0 hectares comprised in S.No.24/1, situated in T.Nallalam Village, Marakkanam Taluk, Villupuram District for the full period of i.e.,



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for further period of 20 months 07 days from 12/03/2023, by considering the petitioner's representation dated 17/02/2023.

For Petitioner : Mr.S.Gopinathan

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order of the second respondent in Na.Ka.B/G & M/215/2022, dated 03/03/2023 and consequently to direct the respondents to permit the petitioner to quarry and transport the Mineral from the Blue Metal quarry of an extent of 2.16.0 hectares comprised in S.No.24/1, situated in T.Nallalam Village, Marakkanam Taluk, Villupuram District for the full period of i.e., for further period of 20 months 07 days from 12/03/2023, by considering the petitioner's representation dated 17/02/2023.

2. The case of the petitioner is that the petitioner was declared as a successful bidder in respect of the above said Government stone quarry situated in above said Village vide proceedings dated 30.03.2017 of the

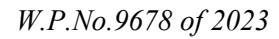


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District Collector. Subsequently, the lease deed was also executed by the first respondent fixing the date from 13.03.2018 to 12.03.2023. However, due to COVID-19 pandemic, the petitioner was not able to carryout the quarry operations properly as per the guidelines issued by the Government. While so, she made a representation dated 17.02.2023, before the respondents seeking for grant of extension of lease period, in view of the non-operation of the quarry during the period from 23.03.2020 to 31.12.2021, pursuant to which the second respondent vide order dated 03.03.2023, rejected the petitioner's claim seeking extension of lease period. Challenging the same the present writ petition has been filed.

3. Learned counsel for the petitioner fairly conceded that as against the order passed by the second respondent dated 03.03.2023, there is an effective appeal remedy available before the Commissioner of Geology and Mining. Hence, he restricted his prayer and sought permission of this Court to file an appeal before the Appellate Authority / Commissioner of Geology and Mining.

4. Heard the arguments advanced on either side and perused the



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To
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Villupuram District,
Villupuram.
2. The Assistant Director,
Geology and Mining,
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M.DHANDAPANI, J.

RAP

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