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W.P.No.19622 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19622 of 2023
and W.M.P.No.18877 of 2023

Vinoth

Vs.

... Petitioner

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Department of Revenue & Disaster Management,
Fort St.George, Secretariat,
Chennai-600 009.

2.The Director of Geology and Mining,
Guindy Institutional Area,
SIDCO Industrial Estate,
Guindy, Chennai-600 032.

3.The District Collector,
Collectorate Campus,
Villupuram,
Villupuram District.

4.The Commissioner of Land Administration,
land Administration Department,
Government of Tamilnadu,
Ezhilagam, Triplicane,
Chennai-600 005.



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5.The Member Secretary,
State Level Environment Impact,
Assessment Authority,
Panagal Maligai,
No.1, Jeenis Road,
Saidapet,
Chennai-600015.

6.The Deputy Director of Geology and Mining,
Villupuram,
Villupuram District.

7.The District Environment Engineer,
Tamilnadu Pollution Control Board Office,
Villupuram,
Villupuram District.

8.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Villupuram District.

9.The Tahsildar,
Vanur Taluk,
Villupuram District.

10.The Sub Registrar,
Sub Registration Office,
Marakkanam,
Tindivanam,
Villupuram District.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 4th respondent to grant



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necessary sanction exempting the project site comprised in S.No.24/1 to an extent of 1.63.0 hectares situated in Thalakanikuppam Village, Vanur Taluk, Villupuram District for the purpose of registration of the lease deed dated 24.03.2023 by lifting up the ban imposed over the scheduled / classified lands prohibiting registration of documents, consequently direct the 10th respondent to register the lease dated 24.03.2023 by considering the representations of the petitioner dated 28.03.2023 and 15.06.2023.

For Petitioner : Mr.K.Balu

For Respondents : Mr.C.Kathiravan
Special Government Pleader for R4
Mr.K.Srinivasamurthy
Senior Panel Counsel Central Government
for R5

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has been awarded a license for quarrying red sand, which was granted after the 3rd respondent satisfied himself about the petitioner's compliance with various norms. The 6th respondent has also executed the necessary lease deed, and that the petitioner presented it for registration.

However, the Sub Registrar / 10th respondent herein refused to register the



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lease deed, citing that the registration of this land has been barred by the Government.

3.The petitioner also brought to the notice of the court that a communication from the District Collector / 3rd respondent addressed to the 4th respondent on April 17, 2023. In this communication, the District Collector required the 4th respondent to exempt the property in Survey No.24/1, which is covered under the lease deed, in order to enable the registration of the lease deed.

4.Mr.C.Kathiravan, the learned Special Government Pleader appearing for 4th respondent, made a statement on instruction, stating that the petitioner has not even presented the document for registration. This statement is recorded.

5.It appears that the petitioner has approached the Court prematurely and is now required to present the lease deed for registration before the 10th respondent. Once the lease deed is presented, the 10th respondent is required to register it in accordance with law, without considering the 30 days time



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limit prescribed for the registration of the lease deed in the norms for granting mining lease.

6.This writ petition is accordingly disposed of with the above direction. No Costs. Consequently, the connected miscellaneous petition is closed.

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Anu

Index : Yes / No

Neutral citation : yes/no

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