



W.P.No.25969 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25969 of 2022

and

W.M.P.No.9603 of 2023

K.Mohan

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Assistant Director,
Geology and Mining,
Thiruvallur District,
Thiruvallur.

3.The Revenue Divisional Officer,
Thiruvallur.

... 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 consider and dispose of the petitioner's representation dated 24.04.2021 and 08.05.2021, forthwith grant extension to the petitioner to quarry savudu/earth in P.W.D. Lake in S.No.292(P), Punapakkam Village,



W.P.No.25969 of 2022

Uthukottai Taluk, Thiruvallur District for the 4725 loads pursuant to the petitioner's application dated 03.08.2018.

For Petitioner : Mr.C.Vidhusan

For Respondents : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to consider and dispose of the petitioner's representations dated 24.04.2021 and 08.05.2021, forthwith grant extension to the petitioner to quarry savudu/earth in P.W.D. Lake in S.No.292(P), Punapakkam Village, Uthukottai Taluk, Thiruvallur District for the 4725 loads pursuant to the petitioner's application dated 03.08.2018.

2. Though the petitioner filed W.M.P.No.9603 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.



W.P.No.25969 of 2022

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3. The case of the petitioner is that the petitioner was granted mining lease for the period from 18.03.2021 to 11.05.2021. However, in view of the objection made by the village people, the petitioner is not able to carry on the mining activity in the above land. For extension of quarrying work, the petitioner made a representations before the first respondent on 24.04.2021 and 08.05.2021. Since, the same was not considered, the petitioner has filed the present writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in the present writ petition, the learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to consider and dispose of the petitioner's representations dated 24.04.2021 and 08.05.2021, within a time frame that may be fixed by this Court.

5. However, the learned Additional Government Pleader appearing for the respondents would submit that, though there was a bar under Rule 12A of Mines and Minerals (Development and Regulation) Act, 1957, the petitioner representations will considered by the first respondent.



W.P.No.25969 of 2022

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6. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials placed on record.

7. Considering the facts and circumstances of the case, this Court, directs the first respondent to consider and dispose of the petitioner's representations dated 24.04.2021 and 08.05.2021, 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.

8. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

31.03.2023

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



W.P.No.25969 of 2022

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W.P.No.25969 of 2022

M.DHANDAPANI, J.

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W.P.No.25969 of 2022

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