



WEB COPY

WP No.11392 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-03-2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.11392 of 2017

And

WPMP Nos.12348 to 12351 of 2017

SAIL Refractory Company Limited,
(A Government of India Enterprise),
(A Subsidiary of Steel Authority of India Ltd),
Salem – 636 005 Represented by its
Chief Operating Officer.

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Revenue Department,
Fort St. George,
Chennai.
- 2.The District Collector,
Fort Main Road,
District Collectorate,
Salem District.



3. The Commissioner,
Department of Geology and Mining,
Thiru Vi Ka Industrial Estate,
Guindy,
Chennai-600 032.

4. Burn Standard Company Limited,
(A Government of India Enterprise),
22B, Raja Santosh Road,
Kolkata – 700 027,
West Bengal Represented by its
Chairman and Managing Director.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in and by his order bearing No.Na.Ka.930/2009/ Mines-A dated 14.08.2010 and the notice dated 08.02.2017 bearing No.Na.Ka73/2017/Mines-A and quash the same and direct the respondents 1 to 3 Authorities to consider and issue the 'No Mining Dues Certificate' / 'No Objection Certificate' to the petitioner thereby enabling it to seek change of name in the Mining Leases, Explosive Magazine Licence and Permission Orders granted for operating Mines under Metalliferous Mines Regulations and to issue the Transport Permits in favour of the petitioner as and when applied.

For Petitioner : Mr.V.P.Raman

For Respondents-1 to 3 : Mr.T.Arunkumar,
Additional Government Pleader.



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For Respondent-4

: Mr.P.John Zachariah for
M/s.Fox Mandal and Associates.

ORDER

With reference to the relief sought for in the present writ petition, the Mines and Minerals (Development and Regulation) Act, 1957, provides revision to be filed before the Competent Authority/Central Government.

2. The petitioner-Company admittedly has not exhausted the statutory remedy contemplated under the Mines and Minerals (Development and Regulation) Act, 1957.

3. The learned counsel appearing on behalf of the fourth respondent states that the fourth respondent-Company has been struck off. However, the petitioner is at liberty to approach the Revisional Authority under Section 30 of the Mines and Minerals (Development and Regulation) Act, 1957, for the purpose of redressal of their grievances if any exists as of now and there is no impediment for the Authorities to proceed with further actions in accordance with law.



4. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

30-03-2023

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



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S.M.SUBRAMANIAM, J.

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