



W.P(MD)No.6462 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.6462 of 2023

A.Ramaiah

... Petitioner

Vs

1. The Principal Secretary,
Industries (OP II) Department,
Chennai-09.
2. The Director of Geology And Mines,
Guindy, Chennai.
3. The District Collector,
District Collector Office,
Pudukkottai District.
4. The Assistant Director (Mines and Minerals)
Geology and Mining Department, Pudukkottai District,
Pudukkottai.
5. P.Murugan

... Respondents



W.P(MD)No.6462 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate steps to cancel the lease of quarry multi coloured granite over an extent of 1.85.5 Hectares of petitioner's patta lands in S.F.Nos. 217/6, 217/7A, 217/7B, 224/1B, 224/3, 224/4, 224/5, 224/6, 225/1, 224/1A and 225/7 of Parampur Village, Iluppur Taluk, Pudukottai District of granted in G.O. (3D) No. 36, dated 11.06.2008 by the first respondent in favour of the fifth respondent by considering petitioner representation dated 30.12.2022 to the case and thus render justice.

For Petitioner

:Mr.R.Paranjothi

For R1 to R4

:Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The petitioner is the owner of lands measuring 1.85.5 Hectares of in S.F.Nos. 217/6, 217/7A, 217/7B, 224/1B, 224/3, 224/4, 224/5, 224/6, 225/1, 224/1A and 225/7 of Parampur Village, Iluppur Taluk, Pudukottai District. The fifth respondent had obtained lease to quarry the said land. This was granted as per order in G.O. (3D) No. 36, dated 11.06.2008 by the first respondent/ Principal Secretary, Industries (OP II) Department, Chennai.

2.It is the grievance of the petitioner that the quarry was done by



W.P(MD)No.6462 of 2023

the fifth respondent continuously. It is therefore complained that the lease should be cancelled. In that regard, the petitioner had given a representation on 30.12.2022.

3.A direction is issued to the first respondent/ Principal Secretary, Industries (OP II) Department, Chennai to examine the representation given by the petitioner herein, only after issuing notice to the petitioner and the fifth respondent, obtain a report from the fourth respondent, with regard to the nature of work, quarry work done by the fifth respondent and also whether the fifth respondent has complied with terms of lease and thereafter, pass an appropriate order. The said exercise should be completed by the first respondent, within a period of 16 weeks, from the date of receipt of a copy of this order.

4.With the above directions, this Writ Petition stands disposed of, even without issuing notice to the fifth respondent. No costs.

24.03.2023

NCS :Yes/No
Index :Yes/No



W.P(MD)No.6462 of 2023

Internet: Yes/No

PNM

To

1. The Principal Secretary,
Industries (OP II) Department,
Chennai-09.
2. The Director of Geology And Mines,
Guindy, Chennai.
3. The District Collector,
District Collector Office,
Pudukkottai District.
4. The Assistant Director (Mines and Minerals)
Geology and Mining Department, Pudukkottai District,
Pudukkottai.



WEB COPY



W.P(MD)No.6462 of 2023

C.V.KARTHIKEYAN,J.

PNM

ORDER IN
W.P(MD).No.6462 of 2023

24.03.2023