



W.P(MD)No.12409 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.12409 of 2022

and

W.M.P(MD)Nos.8809 & 8810 of 2022

M.Thangamani

... Petitioner

Vs

1.The Director,
The Department of Geology and Mining,
Alandur Road, Guindy Industrial Estate,
Guindy,
Chennai-600 032.

2.The District Collector,
Madurai District,
Madurai.

3.The Assistant Director,
The Department of Geology and Mining,
Madurai Collectorate Office,
Madurai.

4.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the order passed by the second respondent rejecting the petitioner's claim in his proceedings in Na.Ka.No. 1976/Kanimam/2021 dated 17.05.2022 and quash the same and directing the respondents to extend the lease of the petitioner for the period of two years.

For Petitioner :Mr.T.Selvan

For Respondents :Mrs.D.Farjana Ghowshia
Special Government Pleader

ORDER

The petitioner is a licensee for conducting a rough stone quarry has filed this writ petition as against the order passed by the District Collector in Na.Ka.No.1976/Kanimam/2021 dated 17.05.2022.

2. The District Collector has rejected the request of the petitioner for extension of lease on the ground that the petitioner during earlier lease period has conducted a quarry illegally than the permitted area. The District Collector has also ordered for an enquiry under Rule 36-A(3) of the Tamil Nadu Minor Mineral Concession Rules, 1959. Since



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the authorities have found that there are illegal quarrying and it is an offence under Section 4 and 4-1-A of Mines and Minerals Development and Regulation Act, which requires an enquiry under Section 36-A(3) of Minor Mineral Concessions Rules. The District Collector has also passed an order for enquiry under Section 36-A-3 of Mines and Mineral Consession Rules, therefore, the order of the District Collector rejecting the request of the petitioner for extension of lease is justified and since it has been found that some illegal quarrying has been conducted necessarily it has to be enquired. Therefore, this Court is not inclined to interfere with the order of the District Collector. Hence, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

NCC : Yes / No.

Index : Yes / No.

Internet: Yes

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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.12409 of 2022

15.09.2023