



W.P.(MD)No.21298 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21298 of 2023

Kalpana

... Petitioner

versus

1. The District Collector,
Sivagangai District.

2. The Assistant Director,
Geology and Mining Department,
Sivagangai,
Sivagangai District.

3. The Tahsildar,
Tiruppuvanam Taluk,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the
respondents herein to grant necessary permission for quarrying
operations in the petitioner's lands in S.No.61/1B, S.No.226/1A, S.No.



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1/18H situated at Agaram, Keeladi, Manalur Villages, Keeladi Revenue group under Kalagarkadai, Thirupuvanam Taluk, Sivagangai District in the petitioner's favour by considering the representation of the petitioner dated 13.03.2023 within the time stipulated by this Court.

For Petitioner : Mr.M.S.V.Malaiyendran

For Respondents : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner, in order to do agriculture work, intended to remove the topsoil and submitted an application on 13.03.2023 to the respondents requesting them to grant permission for quarrying operations. Since the said application has not been considered sofar, the petitioner is before this Court.

2. The learned counsel appearing for the petitioner submits that though the petitioner submitted the application in the month of March 2023, the same has not been considered sofar. In view of the topsoil,



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the petitioner could not raise crops during the month of Aadi. He further submits that by referring to Rule 44 of the Tamil Nadu Minor Mineral Concessions Rules 1959, submits that this Rule permits the petitioner to remove topsoil, however, permission has not been granted by the respondents for the past six months.

3. The learned Additional Government Pleader submits that if the petitioner wants to remove the topsoil, as per Rule 44 of the Tamil Nadu Minor Mineral Concessions Rules 1959, she has to submit an application in a prescribed Form as per Appendix XXV and if any such application is filed, the same would be considered as expeditiously as possible.

4. In view of the said submission, this writ petition is disposed of with a direction to the petitioner to submit an application in the prescribed Form as per Appendix XXV to the respondents, within a period of two weeks from the date of receipt of a copy of this order. In



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the event of such application in the prescribed Form, the respondents shall consider the same and pass orders, within a period of four weeks from thereon. No costs.

26.09.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
Sivagangai District.
2. The Assistant Director,
Geology and Mining Department,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
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B.PUGALENDHI, J.

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