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W.A.(MD) Nos.756 & 757 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.A.(MD) Nos.756 & 757 of 2020
and
C.M.P.(MD) No.4342 of 2020**

W.A.(MD) No.756 of 2020:

T.Ashok Kumar

... Appellant

-VS-

- 1.The District Collector
Department of Geology and Mines
Collectorate
Dindigul
- 2.The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Collectorate, Dindigul
- 3.The Assistant Director (Mines)
Department of Geology and Mines
Collectorate, Dindigul

... Respondents



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W.A.(MD) Nos.756 & 757 of 2020

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 19.08.2019, passed in W.P.(MD) No.12511 of 2011, on the file of this Court.

For Appellant : Mr.S.Ramsundar Vijayaraj

For Respondents : Mr.M.Lingadurai
Special Government Pleader

W.A.(MD) No.757 of 2020:

T.Ashok Kumar

... Appellant

-vs-

1.The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Collectorate, Dindigul

2.The Assistant Director (Mines)
Department of Geology and Mines
Collectorate, Dindigul

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 19.08.2019, passed in W.P.(MD) No.12512 of 2011, on the file of this Court.



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W.A.(MD) Nos.756 & 757 of 2020

For Appellant : Mr.S.Ramsundar Vijayaraj
For Respondents : Mr.M.Lingadurai
Special Government Pleader

COMMON JUDGMENT

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

These writ appeals are directed against the common order of the learned Single Judge, dated 19.08.2019, passed in W.P.(MD) Nos.12511 & 12512 of 2011.

2. The learned Single Judge has recorded the fact that the lease period of quarry has expired on 30.12.2017 and held that nothing survives for consideration in the writ proceedings.

3. Learned counsel for the appellant is unable to establish that the appellant suffered any order of suspension during the interregnum lease period and more so, the lease was cancelled on account of violations committed by the appellant. Opportunity was granted to the appellant by the authority concerned before cancelling the lease and the appellant had also



W.A.(MD) Nos.756 & 757 of 2020

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appeared before the authority concerned and defended his case. Therefore, the ground raised by the appellant that principles of natural justice had been violated has not been established. More so, the lease period expired in the year 2017 and six years have lapsed. This being the factum, no further adjudication is required in respect of the grounds raised in the present writ appeals.

4. Accordingly, the writ appeals stand dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

11.12.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Department of Geology and Mines,
Collectorate,
Dindigul.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Collectorate, Dindigul.
- 3.The Assistant Director (Mines),
Department of Geology and Mines,
Collectorate, Dindigul.



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S.M.SUBRAMANIAM, J.
and
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