



WEB COPY

W.P.No.2550 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.2550 of 2024
and
W.M.P.No.2794 of 2024

S.Sumanth Ram

.. Petitioner

VS

1.The Commissioner of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai – 600 032.

2.The District Collector,
Perambalur District,
Perambalur.

3.The Deputy / Assistant Director of Geology and Mining,
Department of Geology and Mining,
Perambalur District, Perambalur.

4.The Tahsildar,
Kunnam Taluk, Kunnam,
Perambalur District.

.. Respondents

Petition filed under Article 226 of the Constitution of India
praying to issue a writ of mandamus forberaing the respondents
from taking coercive proceedings for recovering the amount issued
under the Memorandum of the District Collector, Perambalur in
Ref.Na.Ka.No.310/G&M/2018 dated 07.09.2021 as per Form-4 in



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Reg.Na.Ka.No.A5/6892/2023 dated 20.01.2024 issued by 4th respondent under Tamil Nadu Revenue Recovery Act, 1864 till the disposal of the appeal dated 07.03.2023 filed against the Memorandum of the 2nd respondent District Collector, Perambalur dated 07.09.2021.

For Petitioner : Mr.V.Sanjeevi

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader

ORDER

Mr.Stalin Abhimanyu, learned Additional Government Pleader, accepts notice for the respondents and is armed with requisite instructions stating that the appeal of the petitioner filed in terms of Rule 36C of the Tamil Nadu Minor Mineral and Concession Rules, 1959 will be taken up, petitioner heard and order passed within 15 days from the date of personal hearing.

2. Since Mr.Stalin Abhimanyu, states that the Commissioner has the power to grant interim protection as well, the petitioner is at liberty to pursue such a prayer before the Commissioner. Mr.Sanjeevi, learned counsel for the petitioner states that an application for stay has been filed and is pending before the Authority.



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3. Let the petitioner appear before the Commissioner on 16.02.2024 at 10.30 a.m., without expecting any further notice in this regard. The Commissioner will hear the petitioner and pass orders on the appeal / stay application, within a period of 15 days from date of personal hearing, i.e., on or before 01.03.2024. Till such time, there shall be an order of interim stay of recovery of the impugned demand of penalty.

4. This writ petition stands disposed in terms of this order.
No costs. Connected miscellaneous petition is closed.

08.02.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

- 1.The Commissioner of Geology and Mining,
Department of Geology and Mining,
Guindy, Chennai – 600 032.
- 2.The District Collector,
Perambalur District,
Perambalur.
- 3.The Deputy / Assistant Director of Geology and Mining,
Department of Geology and Mining,
Perambalur District, Perambalur.
- 4.The Tahsildar,
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DR. ANITA SUMANTH,J.

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