



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.02.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.4055 of 2024
& WMP.No.4383 of 2024

S.Ramasamy

... Petitioner

Vs

1.The District Collector
Chengalpattu District,
Chengalpattu.

2.The Revenue Divisional Officer,
Chengalpattu
Chengalpattu.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the impugned order of the 1st respondent made in Na.Ka.339/Minerals/2023, dated 04/01/2024 and quash the same.

For Petitioner : Mr.S.Gopinathan

For Respondents: Mr.Stalin Abhimanyu
Additional Government Pleader



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ORDER

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Mr.Stalin Abhimanyu, learned Additional Government Pleader accepts notice for the respondents and is armed with instructions to enable final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner has challenged an order dated 04.01.2024 wherein, in conclusion the respondent orders forfeiture of the caution deposit amount of a sum of Rs.4.52 lakhs.

3. The petitioner had been issued a licence for quarrying of rough stones in S.No.68 (P), Quarry No.1A, Kodumanthangal Village, Chengalpet Taluk and District. An order was passed imposing penalty for a sum of Rs.1,33,25,472/-. As against this order, an appeal has been filed by the petitioner before the District Collector, Kancheepuram during January, 2011, received on 28.01.2011.

4. Parallely, the petitioner had also filed a Writ Petition in W.P.No.3806 of 2011 challenging the same demand. That Writ Petition came to be dismissed by order of the Division Bench dated 26.03.2012 directing the District Collector to consider the appeal on merits and in accordance with law. An appeal thus came to be filed before the District Collector, Kancheepuram on 07.05.2012 and is still pending.



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5. While this is so, Mr.Stalin would accede to the pendency of both the appeal as well as the stay application filed along with the appeal before the District Collector. He would also have no objection to a direction being issued to the appellate authority to consider the appeal and dispose the same within a time frame to be fixed by this Court.

6. In light of the fact that the scope of appeal includes the amount of caution deposit of a sum of Rs.4.52 lakhs, which is the subject matter of impugned order dated 04.01.2024, it would suffice, in the considered view of the Court, that the appeal be directed to be disposed and a mandamus is issued to the District Collector/appellate authority to hear the petitioner and dispose the appeal and stay application within a period of four (4) weeks from date of receipt of a copy of this order, in accordance with law.

7. This Writ Petition is disposed in the aforesaid terms. No costs.
Connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order
Neutral citations:Yes
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DR.ANITA SUMANTH,J.

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To

- 1.The District Collector
Chengalpattu District,
Chengalpattu.
- 2.The Revenue Divisional Officer,
Chengalpattu
Chengalpattu.

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