



WEB COPY



W.P.No.35633 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.35633 of 2023

K.Ganesh

.. Petitioner

vs

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

2.The District Collector,
Namakkal District, Namakkal.

3.The Deputy Director,
Geology and Mining,
Namakkal District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 and 2 to issue transport permit till the transportation of rough stone for the quantity of 25,722 cu.m out of total quantity of 32,322 cu.m and for the quantity of 4520 cu.m of gravel is completed or the period of lease of two years expires i.e. On 19.04.2025, whichever is earlier, for transporting rough stone from the petitioner's land situate in Periyamanali village, Tiruchengode Taluk, Namakkal District, comprised in Survey No.179/1, as per the supplemental lease deed dated 20.04.2023 executed by the 2nd respondent in favour of the petitioner by considering the petitioner's application dated 22.11.2023 for issuance of bulk transport permit.

For Petitioner : Mr.Srinath Sridevan
Senior Advocate
for Mr.S.Senthil

For Respondents : Mr.Stalin Abhimanyu
Additional Government Pleader



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ORDER

The petitioner seeks a mandamus directing R1 / The Commissioner of Geology and Mining and R2 / The District Collector,

Namakkal District, Namakkal to issue permission for the transportation of rough stone from the petitioner's land at Periyamanali village, Tiruchengode Taluk, Namakkal District, comprised in Survey No.179/1.

2. Counter has been filed by the respondents wherein they set out certain objections to the prayer sought for by petitioner.

3. Faced with this position, Mr.Srinath Sridevan, learned Senior Advocate, who appears for Mr.Senthil, learned counsel on record for the petitioner, would state that it would suffice that the petitioner's application dated 22.11.2023 for issuance of bulk transport permit be considered in accordance with the prevailing regulations.

4. Mr.Stalin Abhimanyu, learned Additional Government Pleader for the respondents would have no objection for this course of action.



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5. Hence, mandamus is issued to R3 / Deputy Director, Geology and Mining to consider petitioner's application dated 22.11.2023 and pass orders thereupon after hearing the petitioner in accordance with law and in line with the prevailing regulations, within a period of six weeks from today.

6. This writ petition stands disposed in terms of this order. No costs.

08.02.2024

Index:Yes/No
Neutral Citation:Yes
ssm

To

- 1.The Commissioner of Geology and Mining,
Guindy, Chennai – 600 032.
- 2.The District Collector,
Namakkal District, Namakkal.
- 3.The Deputy Director,
Geology and Mining,
Namakkal District.



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DR. ANITA SUMANTH,J.

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