



W.P.(MD).No.364 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.364 of 2024

Kandasamy

... Petitioner

vs.

1.The District Collector,
Tenkasi District.

2. The Assistant Director,
Geology and Mining,
Tirunelveli District.

3. Revathi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the written objection dated 18.11.2023, as per the procedure established under the Tamil Nadu Minor Minerals Concession Rules within a time frame.

For Petitioner

: Mr.D.Venkatesh

For R1 and R2

: Mr.V.Nirmal Kumar
Government Advocate



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ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the written objection dated 18.11.2023, as per the procedure established under the Tamil Nadu Minor Minerals Concession Rules.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the third respondent made an application to the respondents 1 and 2 for grant of stone quarry licence for S.No.143 situated at Pattakurichi Village. The said land is a ryotwari land. In and around the proposed area, garden lands are there to an extent of 150 acres. Hence, the petitioner has made an objection to the respondents 1 and 2 on 18.11.2023. The first respondent has also forwarded his objection to the second respondent for taking necessary action. But till now no action is being taken. Hence, the present writ petition has been filed.



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4. The learned Government Advocate appearing for the respondents 1 and 2 would submit that any objection will be processed as per Rule 19 (2b) and 36 (1A) (a) of the Tamil Nadu Minor Minerals Concession Rules and the authorities will consider the petitioner's objection within a time frame.

5. Considering the above said submissions, this Court directs the respondents 1 and 2 to take action on the objection made by the petitioner, dated 18.11.2023, after providing opportunity to the third respondent as well as the petitioner herein and pass appropriate orders, as per the Rules established under law by following the principles of natural justice.

6. With the above direction, this Writ Petition is disposed of. No costs.

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To

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