



W.P(MD)No.2399 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.2399 of 2024

and

W.M.P(MD)Nos.2402 & 2405 of 2024

A.C.R.D Rengarajan

... Petitioner

-Vs-

1.The District Collector,
Virudhunagar District,
Virudhunagar – 2.

2.The Deputy Director of Geology & Mining,
Master Plan Complex,
Virudhunagar District,
Viruhdunagar -2.

3.Ramesh

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent in R.C.No. KV1/1285/2023 dated 25.11.2023 and quash the same as illegal, arbitrary and violation of principles of natural justice and consequently, direct the 1st respondent to drop all further proceedings pertaining to the impugned order in R.C.No. KV1/1285/2023 dated 25.11.2023.



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For Petitioner : Mr.R.Aravindan
For Respondents : Mr.A.Kannan
Addl. Govt. Pleader (for R1 and R2)

ORDER

This writ petition is filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent in R.C.No. KV1/1285/2023 dated 25.11.2023 and quash the same as illegal, arbitrary and violation of principles of natural justice and consequently, direct the 1st respondent to drop all further proceedings pertaining to the impugned order in R.C.No. KV1/1285/2023 dated 25.11.2023.

2. It is seen that in the impugned order, the first respondent has clearly mentioned that if aggrieved by the order, if so desired, the lessee may prefer an appeal before the Commissioner of Geology and Mining, Chennai, within 30 days from the date of communication of this order as per sub-rule (2) of Rule 36-C of TNMMCR, 1959. However, the petitioner, without availing the said appeal remedy, has filed the present writ petition. Hence, this Court is not inclined to entertain this writ petition. Therefore,



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this writ petition is dismissed with a liberty to the petitioner approach the above mentioned appropriate forum. No costs. Consequently, connected miscellaneous petitions are closed.

06.02.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

skn

Note: Registry is directed to return the original impugned order after receiving Xerox copy of the same.

To

1.The District Collector,
Virudhunagar District,
Virudhunagar – 2.

2.The Deputy Director of Geology & Mining,
Master Plan Complex,
Virudhunagar District,
Viruhdunagar -2.



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V.BHAVANI SUBBAROYAN, J.

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