



W.M.P.(MD)No.7527 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.M.P.(MD)No.7527 of 2024

in

Rev.AplcW(MD)SR.No.15098 of 2024

1.Merlin Jaslin

2.Blessy

... Petitioners

Vs

1.P.John Peter

2.The Commissioner Geology and Mining,
Directorate of Geology and Mining,
Industrial Estate,
Guindy, Chennai.

3.The District Collector,
Kanyakumari District,
Nagercoil.

4.The Assistant Director,
Directorate of Geology and Mining,
Collectorate, Kanyakumari District,
Nagercoil.

5.The President,
Kappiyarai Village,
Kalkulam Taluk,
Kanyakumari District.

... Respondents



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Prayer in W.M.P(MD)No.7527 of 2024: This Writ Miscellaneous Petition is filed under Section 151 of Civil Procedure Code r/w Article 226 of the Constitution of India, to grant leave to the Petitioner for filing the above Review Application against the order passed in W.P.(MD).No.30672 of 2023 dated 21.12.2023.

Prayer in Rev.AplcW(MD)SR.No.15098 of 2024: This Review Application is filed under Order 47 Rule 1 CPC, to review the order passed by this Court in W.P(MD)No.30672 of 2023 dated 21.12.2023.

For Petitioners : Mr.T.Arul

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.2 to R.4

ORDER

There is no need to issue notice in this condone delay petition. The petitioner seeks review of the order made in W.P(MD)No.30672 of 2023. The very same order was sought to be reviewed in Rev.Apl(MD)No.44 of 2024. The said review application was disposed of in the following terms:

“4. Since I have not passed any order on merits, there is no need to review the order. At the same time, to assuage the concerns expressed by the review applicants, it is directed that before the final order is passed by the District Collector, Kanyakumari District, the review applicants shall be heard in



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person. Enquiry shall be conducted by the District Collector on 12.03.2024 at 3.00 pm. or on any other date, if it is not suitable for the District Collector. The petitioner however will not receive any separate notice. The objections to be placed by the review applicants shall be taken into account and dealt with. Speaking order will be passed by the District Collector. I make it clear that I have not gone into the merits of the matter. The contentions of the review applicants as well as the writ petitioner are left open. These review applications are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.”

This petition is disposed of on the same terms. The District Collector, Kanyakumari is directed to issue notice to the petitioners herein before passing any final order.

4.This Writ Miscellaneous Petition is disposed of accordingly and consequently, Rev.AplcW(MD)SR.No.15098 of 2024 is also rejected at the SR stage itself.

04.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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To

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G.R.SWAMINATHAN, J.

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in
Rev.ApplcW(MD)SR.No.15098 of 2024

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