



W.P(MD)No.6471 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6471 of 2024

and

W.M.P.(MD)No.6053 of 2024

C.Subramanian

... Petitioner

Vs.

The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the respondent in her proceedings in Na.Ka.A4/8731/2022 dated 09.02.2024, which was served on the petitioner on 06.03.2024 and quash the same.

For Petitioner : Mr.B.Prahalad Ravi

For Respondent : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard both sides.



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2. The petitioner has been levied with penalty for having unauthorizedly quarried the mineral. The learned counsel for the petitioner points out that without holding any enquiry, the impugned order came to be passed.

3. The learned Special Government Pleader would point out that notice was issued and the petitioner's explanation was also taken. I do not want to go into the contentious aspects. The order is appealable. The petitioner can very well file an appeal before the District Collector, Sivagangai. If the petitioner files an appeal within seven days from the date of receipt of a copy of this order, the same will be entertained by the District Collector, Sivagangai without reference to limitation. The District Collector, Sivagangai is directed to dispose of the petitioner's appeal within a period of eight weeks thereafter. Since time bound direction has been given, the impugned order shall be put on hold and it will abide by the outcome of the order to be passed by the appellate authority. I have not gone into the merits of the matter. If the petitioner fails to file an appeal within seven days from the date of receipt of a copy of this order, the benefit of this order would stand automatically vacated.



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4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

18.03.2024

Index : Yes / No
Internet : Yes/ No
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To

The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.



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G.R.SWAMINATHAN, J.

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