



WP(MD). No.22418 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 23/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.22418 of 2024

Chitra Constructions

... Petitioner

Vs

1. The District Collector Cum Appellate Authority,
Tuticorin,
Tuticorin District.

2. The Revenue Divisional Officer,
Tuticorin,
Tuticorin District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.1 to dispose of the Statutory appeal preferred by the Petitioner under Rule 36(C) of Tamil Nadu Minor Minerals Concession Rules, 1959 dated 03.09.2024 within the time frame stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil,
For Respondents : Mr.D.Gandhiraj
Special Government Pleader



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ORDER

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The writ petition has been filed for a mandamus to direct the respondent No.1 to dispose of the Statutory appeal preferred by the Petitioner under Rule 36(C) of Tamil Nadu Minor Minerals Concession Rules, 1959 dated 03.09.2024 within the time frame stipulated by this Court.

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

3. The case of the petitioner is that a contract was awarded for desilting the tank. During the work, some third party, namely, Dhanadurai removed some gravel illegally, for which, penalty has been imposed on the petitioner, against which, the petitioner filed an appeal before the first respondent. Since the said appeal has not been disposed so far, the petitioner is before this Court.

4. I have considered the rival submissions and perused the materials available on record.



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5. It is not disputed that the appeal is to be disposed of by the 1st respondent. According to the petitioner, the appeal has been rightly filed before the 1st respondent. In view of the same, the writ petition is disposed of with a direction to the first respondent to dispose of the appeal on its own merits and in accordance with law, after hearing the parties concerned, within a period of three months from the date of receipt of a copy of this order. No costs.

23.09.2024

RR

TO

1. The District Collector Cum Appellate Authority,
Tuticorin,
Tuticorin District.

2. The Revenue Divisional Officer,
Tuticorin,
Tuticorin District.



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N.SATHISH KUMAR,J

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**ORDER
IN
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Date : 23/09/2024