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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.25525 of 2024

S.Sakthivel ... Petitioner

Vs.

The Assistant Director,
Department of Geology and Mining,
District Collectorate Campus,
Virudhunagar. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to pass final orders on the petitioner's application dated 20.10.2021 and grant mining lease to the petitioner in light of the environmental clearance granted by the state environmental impact assessment authority dated 28.09.2022 and the consent accorded by Tamil Nadu Pollution Control Board to operate and quarry earth dated 21.02.2023 within the time that may be stipulated by this Court.

For Petitioner : Mr.Abudu Kumar Raja Rathinam
Senior Counsel
for Ms.M.Mohamed Riyaz
For Respondent : Mr.A.Kannan
Additional Government Pleader

ORDER

Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondent.

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

3.The petitioner's case is that the petitioner is the owner of the subject property. The petitioner obtained necessary permission from the Tamil Nadu Minor Mineral Concession Rules, 1959 to do quarrying operation in his property. The petitioner has also obtained environmental impact clearance from the Tamil Nadu Environmental Impact Assessment Authority (SEIAA) and the District Environmental Engineer, Virudhunagar. Thereafter, he has made an application on 20.10.2021 before the respondent for grant of mining lease. Though the petitioner has satisfied all the requirements under the Rules in force, the application of the petitioner has not been considered so far. Hence, the petitioner has filed this writ petition.

4.The learned Additional Government Pleader appearing for the respondent, on instructions, submitted that the application of the petitioner will be considered and necessary orders will be passed shortly.

5.In view of the above submission, this writ petition is disposed of directing the respondent to consider the application of the petitioner on its own

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merits and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

24.10.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
ta

To

The Assistant Director,
Department of Geology and Mining,
District Collectorate Campus,
Virudhunagar.

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N.SATHISH KUMAR, J.

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