



W.P.No.1788 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.1788 of 2025 and
WMP No.2047 of 2025

Palaniappan

... Petitioner

Vs.

1. The District Collector,
Namakkal District,
Namakkal.

2. The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Tiruchengode Taluk, Namakkal District.

3. The Tahsildar,
Tiruchengode Taluk, Namakkal District.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the first respondent to dispose of the appeal dated 27.02.2008 filed under Section 36(c) of the Tamil Nadu Mines and Mineral Concession Rules, 1959, challenging the order dated 30.11.2007 passed by the second respondent, pending in its file, on merits, as expeditiously as possible, within a time frame, as may be fixed by this court.



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For Petitioner : Mr.S.Senthil

For Respondents : Mr.E.Vijay Anand, Addl.Govt. Pleader

ORDER

The petitioner herein seeks a direction to the first respondent to dispose of the appeal dated 27.02.2008 filed by him under Section 36(c) of the Tamil Nadu Mines and Mineral Concession Rules, 1959, challenging the order passed by the second respondent dated 30.11.2007, imposing penalty against the petitioner.

2. It is the case of the petitioner that the second respondent passed an order dated 30.11.2007, imposing penalty of Rs.41,46,340/-, on the ground that the petitioner illegally removed 4411 lorry loads of stones in S.No.9/1A2, Marapparai Village, Tiruchengode Taluk, Namakkal District. Aggrieved by the same, the petitioner filed a statutory appeal before the first respondent under Section 36(c) of the Tamil Nadu Mines and Mineral Concession Rules, 1959 on 27.02.2008 and the same has not been considered till date. Hence the petitioner has come before this court.



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3. Mr.E.Vijay Anand, learned Additional Government Pleader, who takes notice for the respondents would submit that the appeal filed by the petitioner will be disposed of in accordance with law, within a time stipulated by this court.

4. In view of the submission made by the learned Additional Government Pleader, without going into the merits of the claim made by the petitioner, this court is inclined to direct the first respondent to dispose of the appeal filed by the petitioner dated 27.02.2008 on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of the order.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Connected miscellaneous petition is closed.

27.01.2025

Index:Yes/No
Internet:Yes/No
mst



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To
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Namakkal.
2. The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
Tiruchengode Taluk,
Namakkal District.
3. The Tahsildar,
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S.SOUNTHAR, J.

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