



W.P.No.37150 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.37150 of 2024
and W.M.P.No.40153 of 2024

P.Mallikarjuna

.. Petitioner

Versus

1. The Sub Collector,
Krishnagiri District.

2. The Deputy Director of Geology & Mining,
Krishnagiri District,
Krishnagiri.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorari to call for the records of the order, dated 21.06.2024 passed by the first respondent in proceedings bearing **ந.க.3256/2023/பி2** and quash the same.

For Petitioner : Mr.K.S.Viswanthan
Senior Counsel,
for Mr.G.M.Ananthakumar



W.P.No.37150 of 2024

WEB COPY

For Respondents : Mr.M.Suresh Kumar,
Additional Advocate General,
Asstd. by Mr.E.Vijay Anand,
Additional Government Pleader

ORDER

This Writ Petition challenges the impugned order, dated 21.06.2024.

2. The grievance of the petitioner is relating to both merits and also the procedure that was followed. With reference to the merits, it is the contention of the petitioner that even before the petitioner was handed over the possession, he has pointed out that there has been some existing queries which were never addressed. With reference to the procedure, it is the contention of the petitioner that when he made a letter pursuant to the earlier order seeking furnishing of certain copies, without furnishing the copies, the enquiry is proceeded with.

3. The learned Additional Advocate General would submit that



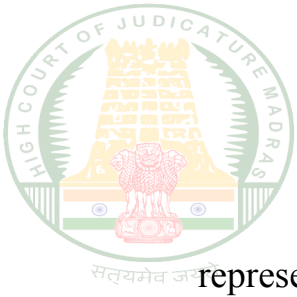
W.P.No.37150 of 2024

WEB COPY

without expressing any opinion on the merits of the case, if any copies have to be furnished, the same can be furnished and a fresh enquiry can be conducted. It is his contention that the authorities are not conceding with reference to the merits of the matter. The petitioner can agitate all the grounds in the fresh enquiry that can be conducted in the case.

4. In view thereof, without going into the merits of any of the contentions that are raised by the petitioner, this Writ Petition is disposed of on the following terms:-

- (i) The impugned order, dated 21.06.2024 shall stand set aside;
- (ii) The matter is remitted back to the first respondent for fresh enquiry. The first respondent shall furnish the copies or permit the petitioner to inspect/furnish the documents that are mentioned as reference Nos.1 to 3 in the enquiry notice. Even the other documents which are there on the file also can be inspected;
- (iii) After due inspection, the petitioner can make additional



W.P.No.37150 of 2024

WEB COPY

representation or explanation if any. Thereafter, after duly considering the explanation of the petitioner, the orders can be passed afresh;

(iv) The petitioner shall appear before the first respondent on 12.03.2025 and thereafter, the entire exercise shall be completed within a period of eight weeks therefrom;

(v) Needless to mention that the petitioner shall co-operate with the enquiry on all the dates that are fixed by the first respondent;

(vi) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.02.2025

Neutral Citation : no
grs

To

1. The Sub Collector,
Krishnagiri District.
2. The Deputy Director of Geology & Mining,
Krishnagiri District,
Krishnagiri.



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W.P.No.37150 of 2024

D.BHARATHA CHAKRAVARTHY, J.

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WEB COPY



W.P.No.37150 of 2024

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