



W.P.No.4083 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.4083 of 2025
and W.M.P.No.4589 of 2025

M.SRINIVASAN

... Petitioner

Vs

1. GOVERNMENT OF TAMIL NADU
REP. BY PRINCIPAL SECRETRY,
DEPARTMENT OF NATURAL RESOURCES,
FORT ST. GEORGE, CHENNAI.
2. THE DISTRICT COLLECTOR
THE DISTRICT COLLECTOR OFFICE,
ERODE.
3. THE ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY AND MINING,
THE DISTRICT COLLECTOR OFFICE, ERODE.
4. REVENUE DIVISIONAL OFFICER
REVENUE DIVISIONAL OFFICE,
GOBICHETTIPALAYAM, ERODE DISTRICT.
5. THASILDAR
TALUK OFFICE, GOBICHETTIPALAYAM,
ERODE DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to consider the petitioner representation dated 18.11.2024 and extend the lease period of



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the lease deed dated 26.04.2010 registered as document No.766 of 2010 SRO, Thukanaickenpalayam for another 3 years with respect of land measuring 2.00.0 hectare situated in South of Survey No.70/9 Goundampalayam Village Gobichettipalayam Taluk, Erode District.

For Petitioner : Mr.P.R.Balasubramanian
For Respondents : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This writ petition is filed seeking a mandamus directing the second respondent to consider the petitioner's representation dated 18.11.2024 and extend the lease period of the lease deed dated 26.04.2010 registered as Document No. 766 of 2010 SRO, Thukanaickenpalayam for another 3 years with respect of land measuring 2.00.0 hectares situated in South of survey No. 70/9, Goundampalayam Village, Gobichettipalayam Taluk, Erode District.

2. *Mr.P.R.Balasubramanian*, the learned senior counsel appearing on behalf of the petitioner would submit that though the lease agreement has expired, a new rule requiring environmental clearance was introduced during the lease period and also because of the COVID-19 pandemic, the petitioner has lost 3 years without doing any quarrying. Therefore, the petitioner is



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claiming an extension of the lease period for another 3 years. The petitioner has made a representation and it is requested that the respondents consider it.

3. Per contra, *Mr.E.Vijay Anand*, the learned Additional Government Pleader appearing for the respondents 1 to 5, relying on Rule 8 sub rule 1 & 2 of the Tamil Nadu Minor Mineral Concession Rules, 1959 would submit that once the lease expires, the rules specifically prohibits any extension of the lease period. He argues that even the three year extension as prayed for by the petitioner would have expired in the year 2023, as the original lease expired in the year 2020. Similar claims that were made on account of the introduction of the rule relating to environmental clearance and the prayer for extension of release has been expressly denied by this Court as well as the Hon'ble Supreme Court of India and therefore, nothing further remains to be decided by the authorities.

4. I have considered the rival submissions made on either side and perused the material records of the case.



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5. As rightly contended by the learned Additional Government pleader appearing on behalf of the respondents, the issue is no longer *res integra* and has already been decided by this Court in W.P.No.31334 of 2018 etc., wherein it was held that the lessee is not entitled to an extension of the lease period. More specifically, Rule 8 explicitly contains a negative covenant, stating that the lease period shall not be extended under any circumstances. Therefore, this Court cannot direct the respondents to consider the representation in that regard.

6. In view thereof, finding no merits, this writ petition stands dismissed. This order will not preclude the petitioner in any manner from participating in any fresh lease that may be advertised by the respondents. Consequently, Connected miscellaneous petition is also closed. No costs.

07.02.2025

Neutral Citation: Yes/No
nsl



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To

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DEPARTMENT OF NATURAL RESOURCES,
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THE DISTRICT COLLECTOR OFFICE,
ERODE.
3. THE ASSISTANT DIRECTOR
DEPARTMENT OF GEOLOGY AND MINING,
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D.BHARATHA CHAKRAVARTHY, J.

nsI

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