

(2012) 11 MAD CK 0150

In the Madras High Court

Case No : Writ Petition No. 30570 of 2012 and M.P. No. 1 of 2012

K.N. Shanmugaramasamy and Others

APPELLANT

Vs

The District Collector, Erode District, Erode, The Assistant
Director of Geology and Mining, The Revenue Divisional
Officer and T. Subramani

RESPONDENT

Date of Decision : 16-11-2012

Acts Referred:

Citation : (2012) 11 MAD CK 0150

Hon'ble Judges : R. Sudhakar, J

Bench : Single Bench

Advocate : V. Bharathidasan, for the Appellant; N. Srinivasan, Additional
Government Pleader, for the Respondent

Final Decision : Dismissed

Judgement

Honourable Mr. Justice R. Sudhakar

1. This Writ Petition is filed praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioners dated 14.09.2012 and not to grant lease to the fourth respondent for conducting quarrying operation in Survey No. 172/13 and 14 in Thuyampoonthurai Village, Erode Taluk and District. Mr. N. Srinivasan, learned Additional Government Pleader takes notice for the respondents 1 to 3. Considering the nature of order that is to be passed in this matter, the notice to the fourth respondent is dispensed with. By consent, the writ petition is taken up for final disposal.

2. Thirteen petitioners claiming to be agriculturists adjacent to stone quarry have given a representation to the first respondent District Collector not to grant fresh lease in favour of the fourth respondent whose earlier lease is likely to expire shortly, on the premises that the stone quarry is affecting the agricultural operation of the village. It is stated that the said representation has been acknowledged by the first respondent.

3. Considering the nature of relief sought for, the first respondent is directed to consider the representation of the petitioners dated 14.9.2012 after hearing the petitioners as well as the fourth respondent so as to avoid allegation of violation of principles of natural justice and dispose the same on merits and in accordance with law expeditiously. The writ petition is ordered as above. No costs. Consequently, connected miscellaneous petition is closed.