

V

SLP(C)No. 15723 OF 2004

ITEM No.40&63

Court No. 7

SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.15723/2004
(From the judgment and order dated 11.5.2004 of the High Court
of Madras in W.P. No.28438/2003)

S. GANESAN

Petitioner (s)

VERSUS

STATE OF TAMIL NADU & ANR.

Respondent (s)

(With prayer for interim relief)(Office report)

With SLP(C)No.15979/2004 (With prayer for interim relief)

SLP(C)No.16061/2004(With prayer for interim relief)

With SLP(C) No. 16409/2004 with SLP(C) No.16410/2004(With prayer for interim relief)

Date : 16/08/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)Mr. L. Nageswara Rao, Sr. Adv.

Mr. Jayanth Muthraj, Adv.

Mr. Krishnan K.R., Adv.

Mr. Nishe R. Shonker, Adv.

MR. C.K. Sasi, Adv.

For Respondent (s)MR.V.R. Reddy, Sr. Adv.

Mr. Subramonium Prasad.,Adv.

Mr. Gopalakrishnan, Adv.

Mr. Abhay Kumar, Adv.

Mr. Rahul, Adv.

UPON hearing counsel the Court made the following

O R D E R

SLP(C) Nos.15723/2004,15979/2004,16409/2004,16410/2004

It is not in dispute that sub-paragraph (2) of Para 18 of the operative part of the judgment of the High Court does not apply to the cases of the petitioners in these special leave petitions. These are cases in which leases were granted pursuant to the orders passed by this Court or

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by the High Court and broadly speaking such orders came to be passed in view of the pending litigation either between the rival claimants or between the State and the applicant. If the cases are liable to be cancelled by virtue of the other directions issued or observations made by the High Court, show-Cause notices will have to be issued and final orders should be passed as per law. Needless to state that at present there is no bar on mining operations being carried out.

In view of the above observations, we do not find any reason to entertain these petitions and examine the cases on merits. The special leave petitions are disposed of accordingly.

SLP(C) No.16061/2004

Learned counsel for the petitioner desires to withdraw this petition as he would like to seek

clarification from the High Court. The special leave petition is , therefore, dismissed as withdrawn.

(Meenu Sethi)
Court Master

(Promila Nagpal)
Court Master