

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.11.2015

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.22939 of 2015
and
M.P.Nos1 & 2 of 2015

N.Kumarasami

...Petitioner

Vs.

1. The District Collector,
Vellore District, Vellore.
2. The District Forest Officer,
Vellore.
3. The General Manager,
District Industries Centre,
Department of Industries and Commerce,
Vellore.
4. The Commissioner,
Vellore Municipal Corporation,
Vellore.
5. The Superintending Engineer,
TANGEDCO, Vellore.
6. Deivasigamani

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 to 4 to take effective steps to stop the illegal wood cutting and polishing mill operated by the sixth respondent at S.F.No.33/13, Plot No.2, Otteri Arts College Road, Virupachipuram Vellore, under Municipal Corporation Act and thereby to direct the respondents 1 to 5 to take effective and suitable action against the sixth respondent for running the above said illegal Mill.

For Petitioner : Mr.N.Suresh

For Respondent 1 & 3 : Mr.R.Rajeswaran
Special Government Pleader

For Respondent-2: Mr.N.Inbanathan
Government Advocate
(Forest Dept.)

For Respondents 4 : Ms.P.Shanthi

For Respondent - 5 : Mr.M.Varunkumar

For Respondent -6 : Mr.M.Sathishkumar

O R D E R

This Writ Petition is filed for issue of writ of mandamus upon the respondents 1 to 4 to take effective steps to the illegal wood cutting and polishing Mill operated by the sixth respondent.

2. From the counter filed by the second respondent, viz., District Forest Officer, Vellore, it is seen that the sixth respondent has not obtained any licence for running the Saw Mill. Though the sixth respondent's Industry, is stated to be a Wood Polishing Unit, Sawmill work is also being done. Therefore, they issued notice to the Electricity Board to disconnect the electricity supply, vide letter, dated 10.09.2013. It is submitted that subsequently, after much delay, electricity service connection to the sixth respondent's Unit is disconnected.

3. The Commissioner of Vellore Municipal Corporation/fourth respondent has also filed a counter affidavit, inter alia, contending that they have also initiated action by issuing notice.

4. Thus, it appears that all the Authorities have issued only notices, and they have not taken any effective action to prevent the sixth respondent from carrying out the said activities, which compulsorily requires licence. Therefore, the respondents 1 and 5 shall consider the petitioner's representation, dated 04.09.2015, and take note of the above mentioned facts and immediately take appropriate action against the sixth respondent after affording an opportunity of hearing to the sixth respondent.

5. The abovesaid direction shall be complied with by the respondents 1 and 5 within a period of three weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

ds/sd

To

1. The District Collector,
Vellore District, Vellore.
2. The District Forest Officer,
Vellore.
3. The General Manager,
District Industries Centre,
Department of Industries and Commerce,
Vellore.
4. The Commissioner,
Vellore Municipal Corporation,
Vellore.
5. The Superintending Engineer,
TANGEDCO, Vellore.

+1 cc to M/s.N.Suresh, Advocate, sr.61032
+1 cc to M/s.M.Varunkumar, Advocate, sr.60647
+1 cc to M/s.P.Shanthi, Advocate, sr.60793
+1 cc to Government Pleader, sr.61187
+1 cc to Special Government Pleader, (Forest), sr.60901

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rsk co
kra 07.12.2015