

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20-03-2015

CORAM:

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.Nos.4799 of 2015

and

M.P.No.1 of 2015

1. Sri Rajaganapathi Match Industries Rep. by its Managing Partner S. Govindarajan No.2/10 V.S.K.Nagar Kaveripattinam Krishna giri District. ...Petitioner

Vs

1. The Divisional Revenue Officer Krishnagiri District.
2. The Tahsildar Kaveripattinam Krishnagiri District.
3. The Revenue Inspector Kaveripattinam Krishnagiri District.
4. Dileep Kumar S/o.Sivanantham No.65 Desi Chetty Street Kaveripattinam Town Krishnagiri District. ...Respondents

Petitions filed under Article 226 of the Constitution of India praying for issue of writ of mandamus directing the 1st Respondent to renew the license granted for the petitioners company in License No. 1/XI/ 96 for a further period of 3 years

For petitioner : Mr. K.V. Sajeev Kumar
for M/s.Royan Law Associates

For respondents : Mr. R. Vijayakumar, AGP for RR1 to 3
Mr. A. Chidambaram for R4

ORDER

The petitioner seeks for an issuance of writ of mandamus directing the 1st Respondent to renew the license granted for the petitioners company in License No. 1/XI/ 96 for a further period of three years.

2. The petitioner seeks for a renewal of the license to run a match industry, which was valid till 31-12-2014. The petitioner has submitted his application for renewal and also remitted the renewal fees. Pursuant to the renewal application filed, it is stated that on 10-01-2015, the Unit was inspected and necessary documents were taken from the petitioner and the fourth respondent who is none other than the petitioner's/Managing Partner's brother's son.

3. The learned counsel for the petitioner submitted that till date no orders have been passed and notice has been issued by the first respondent. The first respondent by letter dated 12-03-2015 has addressed a letter to the Special Government Pleader requesting time to file counter for a further period of one month. Further in the written communication, there is no instructions given to the learned Government Pleader as to what is the basic facts of the case and as to why time is required for the matter.

4. In such circumstances of the case, since the license was in force till December 2014 and admittedly, the application for renewal of license has been filed and fee has also been remitted, the first respondent, who is a licensing authority ought to have considered the application as to whether the license could be renewed or not, or else it would amount to abdicating his statutory duties.

5. In the light of above, without going into the merits of contentions raised by the petitioner or the respondents, there shall be a direction to the respondents to consider the case of the application of the petitioner for renewal of license, after issuing due notice to the petitioner and fourth respondent, and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

glp

To

1. The Divisional Revenue
Officer Krishnagiri District.
2. The Tahsildar
Kaveripattinam Krishnagiri District.
3. The Revenue Inspector
Kaveripattinam Krishnagiri District.

+1cc to Mr.A.Chidambaram, Advocate, S.R.No.16000
+1cc to M/s.Royan Law Associates, Advocate, S.R.No.16005
+1cc to the Government Pleader, S.R.No.16053

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MG(CO)
CA(31/03/2015)



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