

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.31514 of 2015 &
M.P.No.1 of 2015

Ramya Timbers
Rep by its Proprietor M.K.Manian

[PETITIONER]

Vs

- 1 The State of Tamil Nadu
Rep by the District Forest Officer
Thiruvallur, Thiruvallur District.
- 2 The Assistant Engineer
Operation & Maintenance
The Tamil Nadu Generation and
Distribution Corporation Ltd
(TANGEDCO), Sevapettai 602 025.
- 3 The Chairman
Tamil Nadu Electricity Board
Anna Salai, Chennai 2.

[RESPONDENTS]

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the 1st respondent to dispose the application for the grant of license established/renewal wood base industries run at No.115 M.T.H.Road, 88, Veppampettu, Thiruvallur District in a time bound period and the 2nd respondent from taking coercion action till the disposal of application and for other reliefs as this Court deems fit proper and necessary in the circumstance of the case.

For Petitioner : Mr.K.Mokhanamurali

For Respondents : Mr.N.Inbanathan-R1
Govt. Advocate
Mr.P.Gunaraj - R2 & R3

O R D E R

Heard Mr.K.Mokhanamurali, learned Counsel appearing for the petitioner,
Mr.N.Inbanathan, learned Government Advocate

accepting notice for the first respondent, Mr.P.Gunaraj, learned counsel accepting notice for the second and third respondents and with their consent the Writ Petition is taken up for final disposal.

2.The petitioner's case is that he is running a Saw Mill from 2000 onwards and it is a Small Scale Industry, registered with the District Industries Centre, Industries and Commerce Department, Thiruvallur. The petitioner claims that he has been paying professional tax to the Veppempattu Panchayat from 04.11.2003, they have been provided with electricity service connection by the second respondent Board bearing Connection No.554.013.1478 and the petitioner is regularly remitting the current consumption charges. Whileso, in the light of the new regulations pursuant to the orders passed by the Hon'ble Supreme Court, the petitioner was required to obtain a licence from the first respondent. Accordingly, the petitioner has submitted an application to the first respondent on 26.10.2012 for registering his Saw Mill and the same is pending. In the interregnum the second respondent threatened to disconnect the electricity service connection which has compelled the petitioner to approach this Court by way of this Writ Petition for the aforesaid relief.

3.Though the matter has been adjourned on three earlier occasions, no counter affidavit has been filed by the respondents. Further, at the time when the writ petition was entertained, an interim order was granted directing the second respondent not to disconnect the petitioner's electricity supply.

4.In the light of the above facts, there will be a direction to the first respondent to consider the petitioner's application dated 15.02.2012, if the said application is in order and appropriate orders shall be passed on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Till orders are passed by the first respondent in terms of the above direction, the electricity service connection shall not be disconnected.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

rpa

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1 The District Forest Officer,
State of Tamil Nadu
Thiruvallur, Thiruvallur District.

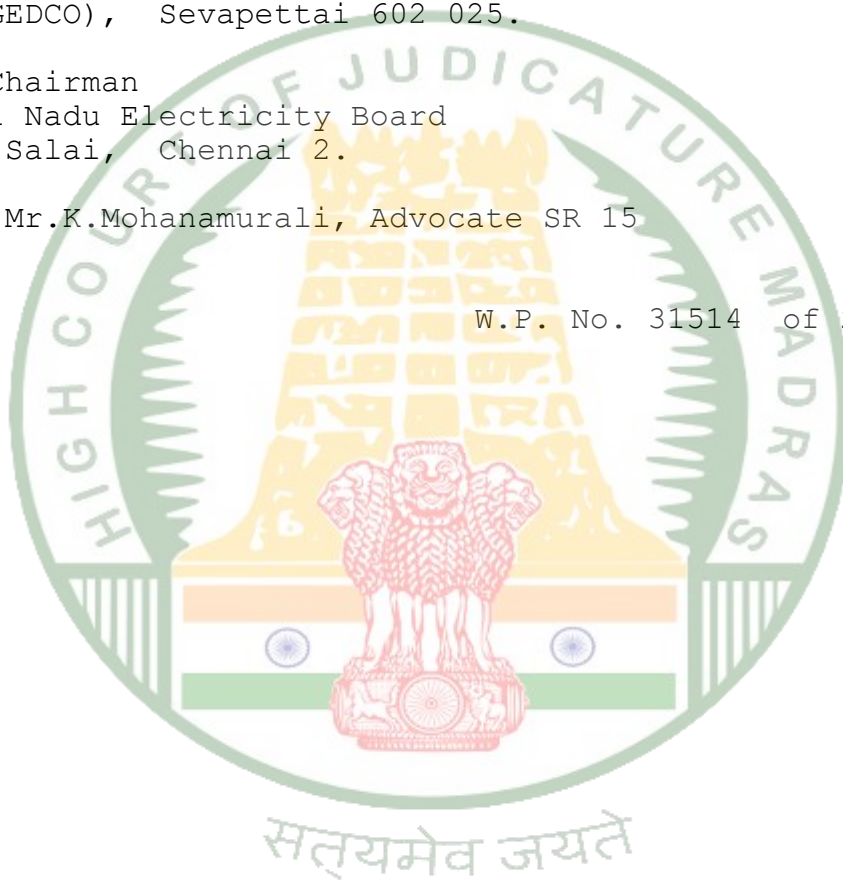
2 The Assistant Engineer
Operation & Maintenance
The Tamil Nadu Generation and
Distribution Corporation Ltd
(TANGEDCO), Sevapettai 602 025.

3 The Chairman
Tamil Nadu Electricity Board
Anna Salai, Chennai 2.

+ 1 cc to Mr.K.Mohanamurali, Advocate SR 15

msm(co)
prk25/1

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