

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2017

CORAM

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.14880 of 2017

Sri Tirumala Venkateswara Saw Mill

Rep. by its Proprietor,

S. Anthony,

S/o. P. Subramaniam Reddy,

No.278, Chittoor Road,

Tirutani - 631 209,

Thiruvallur District.

..Petitioner

Vs.

1. State of Tamil Nadu

Rep. by Commissioner & Secretary

to Government,

Forests and Fisheries Department,

Fort. St. George,

Chennai - 600 009.

2. The District Forest Officer,

Thiruttani Range Officer,

Thiruttani.

..Respondents

PRAYER:

The Writ Petition is filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to consider the petitioner's application for licence submitted in November, 2012, in accordance with law and grant the License.

For Petitioner :Mr.R.Thiagarajan

For Respondents:Mr.M.Santhana Raman,
Additional Government
Pleader (Forest)

ORDER:

The petitioner has filed this Writ Petition to issue a Writ of Mandamus directing the second respondent to consider the petitioner's application for licence submitted in November, 2012, in accordance with law and grant the License.

2. According to the learned counsel for the petitioner, the petitioner has been running a business as proprietor under the name and style M/s.Sri Tirumala Venkateswara Saw mill since 1982 at No.278, Chittor Road, Tiruttani. For the purpose of commencement of business, the petitioner approached the Department of Industries and Commerce for registering his mill as Small Scale Industry and secured registration in the year 1982, and on 03.09.1982, a provisional Registration Certificate was issued in favour of the petitioner. Pursuant to the issuance of the provisional certificate, the petitioner had complied with all the formalities and secured a regular SSI Registration. The petitioner had got all the necessary certificates and licenses from time to time to run his industry. While being so, the second respondent had called upon the persons who are in the business of Saw mill/ veneer and plywood and wood based industries to approach the authorities for securing a licence, if the business had commenced prior to 30.10.2002. But, the petitioner could not submit his application for his personal reason and submitted the same along with a Demand Draft for a sum of Rs.5,000/- only in November 2012. But, the second respondent has not considered the petitioner's application till date. Further, due to non-issuance of licence, the Electricity Department disconnected power supply in October 2016 thereby the saw mill is not functioning which in turn, has suffered the workers of the saw mill. The second respondent has not forwarded the said application to the State Level Committee for Wood based Industries constituted by Tamil Nadu Government, pursuant to the Regulation of Wood based Industries Rules. Thus, the petitioner has filed this Writ Petition before this Court.

3. The learned Additional Government Pleader would submit that the said application is under process. The second respondent has to forward the said application to the State Level Committee for Wood based Industries.

4. By considering the submissions made by the counsels for the parties, without going into the merits of the case, this court is inclined to direct the second respondent to forward the said application, if it is in order, to the State Level Committee for Wood based Industries, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of Order.

5. The Writ petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner & Secretary
to Government,
State of Tamil Nadu
Forests and Fisheries Department,
Fort. St. George,
Chennai - 600 009.

2. The District Forest Officer,
Thiruttani Range Officer,
Thiruttani.

+1cc to Mr.R.Thiagarajan,Advocate sr.42319

+1cc to Special Government Pleader sr.42185

W.P.No.14880 of 2017

sv(co)
ss(19/6/2017)

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