

HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.34397 of 2016

and

W.M.P. No.29632 of 2016

M.Nagarajan

..petitioner

Vs.

1. The District Forest Officer,
Villupuram Forest Division,
Villupuram.
2. Registering Authority,
District Forest Officer,
Villupuram Division,
Villupuram.
3. T.Ramalingam

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st and 2nd respondents to transfer the saw mill license of "Mani Saw Mill" to petitioner name as per section of 6 of the Tamil Nadu Regulation of Wood Based Industries Rules 2010.

For Petitioner : Mr.V.Raghavachari

For R1 & R2 : Mr.E.Manoharan,
Special Government Pleader.

ORDER

According to the learned counsel for the petitioner, the petitioner purchased a saw mill which was run in the name and style of "Mani Saw Mill", from the third respondent. Pursuant to that, the petitioner approached the first and second respondent and submitted an application as per section of 6 of the Tamil Nadu Regulation of Wood Based Industries Rules 2010 to transfer the licence of the above saw mill to the petitioner's name. But, till date, no effective steps have been taken by the respondents. Subsequently, the licence which was renewed by the petitioner for the year 2011 to 2015 was expired in December 2015. In February 2016, petitioner

received a letter from the first respondent directing him to appear for enquiry on 05.02.2016 with all relevant documents, and the petitioner complied with the same. Though the first respondent assured the petitioner of transferring the licence to the petitioner's name, the same has not issued so far. Hence, the petitioner has filed the present writ petition before this Court.

2. The learned Additional Government Pleader admitted that the said application has been submitted by the petitioner before the appropriate forum and the same shall be considered in accordance with law.

3. By considering the submissions made by the learned counsel for the parties, without going into the merits of the case, this court is inclined to direct the first respondent to consider the petitioner's application dated 27.09.2010 and subsequent reminder application on merits and in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this Order.

4. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The District Forest Officer,
Villupuram Forest Division,
Villupuram.

2. District Forest Officer /
Registering Authority,,
Villupuram Division,
Villupuram.

+2 Ccs to Mr.V. Raghavachari, Advocate sr 43824

+1 CC to Spl. Govt. Pleader sr

W.P.No.34397 of 2016 and
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KGK(CO)
sp(18/07/2017)