



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.16494 of 2015
and
M.P(MD)Nos.1 and 2 of 2015
and
W.M.P(MD)No.2539 of 2017

M/s.Kannadi Sait Saw Mills through
its Proprietor P.Kannan,
14/J, Alankulam Road,
Nehru New Colony, Mookudal,
Tirunelveli District.

.. Petitioner

Vs.

1. The Member Secretary,
Central Empowered Committee II Floor,
Chankya Bhawan, Chankyapuri,
New Delhi - 110 021.
2. The Principal Chief Conservator of the Forest,
Panagal Maligai, Saidapet, Chennai - 600 015.
3. The Chief Conservator of Forest/Field Director,
Kalakkadu Mundanthurai Tiger Sanctuary,
Tirunelveli.
4. The Deputy Director/Wild Life Warden,
Wild Life Warden Office,
Tiger Sanctuary, Ambasamuthiram,
Tirunelveli.
5. The Assistant Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
Mukkudal, Tirunelveli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records pertaining to the impugned order passed by the fourth respondent herein in his proceedings in Na.Ka.No.M/591/2013 dated 07.04.2015 and quash the same in respect of the petitioner's industry M/s.Kannadi Sait Saw Mill, which has been established in the year prior to 30.10.2002.



For Petitioner : Mr.S.Chellapandian
For Respondents 2 to 4 : Mr.J.Gunaseelan Muthaiah,
Government Advocate.
For Respondent No.5 : Mr.G.Kasinathadurai

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ORDER

This writ petition has been filed seeking a Writ of Certiorari to quash the impugned order passed by the fourth respondent in his proceedings in Na.Ka.No.M/591/2013, dated 07.04.2015 in respect of the petitioner's industry.

2.The case of the petitioner is that the petitioner is running a saw mill under the name and style of M/s.Kannadi Sait Saw Mills, which was established before 30.10.2002. In the year 2002, the Forest Department directed to apply for license. His father preferred an application along with necessary certificates to the third respondent on 28.01.2013. The same was not considered, so far. On 10.07.2013, the fifth respondent issued a communication, directing to get license within a period of seven days, failing which, the electricity supply will be disconnected. On enquiry, the fifth respondent stated that the Forester, Ambasamuthiram, vide his communication dated 26.06.2013, asked him to disconnect the power supply to the petitioner's industry. Since, the application dated 28.01.2013 has not been considered, he once again submitted an application in the form of representation dated 10.02.2015 to the fourth respondent and the same was also pending. During pendency of the same, now the fourth respondent has passed the impugned order dated 07.04.2015, directing the petitioner to close his industry. Aggrieved over the same, the petitioner is before this Court.

3.Heard both sides.

4.Today, when the matter is taken up for hearing, the learned counsel for the petitioner submits that the petitioner confines his prayer only to consider his application dated 10.02.2015 by the fourth respondent as per law.

5.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the fourth respondent to consider the application of the petitioner dated 10.02.2015, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.



6. The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Member Secretary,
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Chankya Bhawan, Chankyapuri,
New Delhi - 110 021.
 2. The Principal Chief Conservator of the Forest,
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 3. The Chief Conservator of Forest/Field Director,
Kalakkadu Mundanthurai Tiger Sanctuary,
Tirunelveli.
 4. The Deputy Director/Wild Life Warden,
Wild Life Warden Office,
Tiger Sanctuary, Ambasamuthiram,
Tirunelveli.
 5. The Assistant Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
Mukkudal, Tirunelveli.
- + 1 CC TO Mr.S.CHELLAPANDIAN, ADVOCATE IN SR No. 66487
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 66989
+ 1 CC TO Mr.G.KASINATHA DURAI, ADVOCATE IN SR No. 66740

SMN

TE/MR-KKR/SAR-I : 31/07/2017 : 3P/9C

ORDER MADE IN
W.P(MD)No.16494 of 2015 and
M.P(MD)Nos.1 and 2 of 2015 and
W.M.P(MD)No.2539 of 2017
19.07.2017