



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.05.2017**

CORAM:

THE HONOURABLE **MR. JUSTICE M.V.MURALIDARAN**

AND

THE HONOURABLE **MR. JUSTICE C.V.KARTHIKEYAN**

W.P. (MD) No.9519 of 2017

and

W.M.P. (MD) No.7263 of 2017

B.Alwin Raja Paul

... Petitioner

Vs.

1.The Member Secretary,
Central Empowered Committee,
Room No.106,
Paryavaran Bhawan,
C.G.O. Complex,
Lodi Road, New Delhi - 100 003.

2.The Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.

3.The District Collector,
Kanyakumari District @ Nagercoil.

4.The District Forest Officer,
Kanyakumari District @ Nagercoil.

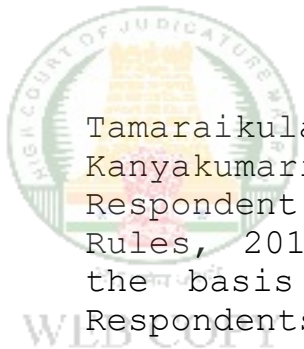
5.The Deputy Director,
Town and Country Planning Department,
Tirunelveli Region,
Palayamkottai, Tirunelveli - 2.

6.The Special Officer,
Karumpattur Panchayat,
Swami Thoppu Post,
Agastheeswaram Taluk,
Kanyakumari District.

7.I.Jacob Edwin

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents 2 to 6 herein from permitting the 7th Respondent to construct and run saw mill in Survey No.418/19C of South



Tamaraikulam Village, Kottaiyadi, Karumpattur Panchayat, Kanyakumari District without obtaining licence from the 4th Respondent as per Tamil Nadu Regulation of Wood Based Industries Rules, 2010 and Clearance Certificate from the 1st Respondent on the basis of the petitioner's representation made before the Respondents 2 to 6 herein dated 20.03.2017 and 19.04.2017.

For Petitioner : Mr. B.Brijesh Kishore
For Respondents : Mr. V.R.Shanmuganathan,
Special Government Pleader

O R D E R

Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the respondents 1 to 6.

2. By consent of parties, the main Writ Petition itself is taken up for final disposal.

3. The petitioner filed this Writ petition, seeking to issue a Writ of Mandamus, forbearing the Respondents 2 to 6 herein from permitting the 7th Respondent to construct and run saw mill in Survey No.418/19C of South Tamaraikulam Village, Kottaiyadi, Karumpattur Panchayat, Kanyakumari District without obtaining licence from the 4th Respondent as per Tamil Nadu Regulation of Wood Based Industries Rules, 2010 and Clearance Certificate from the 1st Respondent. To that effect, he has already made representations on 20.03.2017 and 19.04.2017, which, according to the petitioner, have not been considered so far.

4. Therefore, without expressing any view on the merits of the matter, this Court directs the 4th Respondent, to consider the above said representations of the petitioner and pass orders on the same, on merits and in accordance with law, also after giving personal opportunity to the petitioner and the rival claimants if any, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. Consequently, connected Miscellaneous Petition, W.M.P.(MD) No.7263 of 2017 stands closed. No costs.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The Member Secretary,
Central Empowered Committee,

<https://hcservices.nic.in/ResortNov1106>

Paryavaran Bhawan,

C.G.O. Complex, Lodi Road, New Delhi - 100 003.



2.The Secretary to Government,
Environment and Forest Department,
Fort St.George,
Chennai - 600 009.

WEB COPY

3.The District Collector,
Kanyakumari District @ Nagercoil.

4.The District Forest Officer,
Kanyakumari District @ Nagercoil.

5.The Deputy Director,
Town and Country Planning Department,
Tirunelveli Region,
Palayamkottai, Tirunelveli - 2.

6.The Special Officer,
Karumpattur Panchayat,
Swami Thoppu Post,
Agastheeswaram Taluk,
Kanyakumari District.

+1 CC TO M/S.B.BRIJESH KISHORE , ADVOCATE, SR NO.57263

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.57365

CM/MR/KM

MAS/JC/SAR1:25.05.2017:3P-9C

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and

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