

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 20961 of 2007 and
M.P.No.2 of 2007

T.Rajappan

... Petitioner

Vs.

1. State of Tamil Nadu
Rep. by its Secretary
Environmental and Forest Department
Fort St. George,
Chennai-600 009.
2. State of Tamil Nadu
Rep. by its Secretary
Small Industries Department
Fort St. George,
Chennai-600 009.
3. The industries Commissioner
Director of Industries & Commerce
Chepauk, Chennai- 600 005.
4. The General Manager,
District Industry Centre,
Udakamandalam,
Nilgiris District.
5. The District Forest Officer
Sough Division Ootty
The Nilgiris District.
6. The Executive Officer
Kilkunda Panchayat,
Manjur,
Kunda Bridge Post,
Nilgiris District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the issue of the order dated 19.12.2006 bearing Ref.No.7836/2006-L duly issued by the District Forest Officers, Nilgiris South Division, Udagai,

the 5th Respondent herein and to quash the same and to direct the respondents to resurvey the Saw Mill run by the petitioner in the name and style of "T.R.Saw Mills" functioning at No.3/315, Upper Bazzar, Manjur, Kunda Bridge Post, Nilgiris District, and thus permit the petitioner to run the Saw Mill as run by him earlier since 1995.

For Petitioner : Mr.S.Ashok Kumar

For RR 1 to 3 & 5 : Mr.E.Manoharan
Additional Government Pleader

For RR 4 & 6 : No Appearance

O R D E R

The relief sought for in this writ petition is to quash the impugned order, dated 19.12.2006 issued by the District Forest Officer/5th Respondent, Nilgiris South Division, Udagai.

2. The learned Additional Government Pleader for the respondents 1 to 3 & 5 made a submission that certain guidelines were issued by the Hon'ble Supreme Court, to granting permission to run sawmills.

3. Thus, in the light of the guidelines issued by the Hon'ble Supreme Court, the competent authorities are bound to follow such guidelines, while considering the cases while granting permission to run Saw Mill. However, after a lapse of eleven years from the date of passing the impugned order, this Court is not inclined to consider the grounds raised in this Writ Petition. However, the petitioner is at liberty to submit a fresh application to the respondent. In the event of any such representation/application is being made by the petitioner, it is for the competent authorities to consider the same, in the light of the guidelines issued by the Hon'ble Supreme Court and pass appropriate orders as expeditiously as possible without causing any undue delay/hassle.

4. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Secretary,
State of Tamil Nadu
Environmental and Forest Department
Fort St. George,
Chennai-600 009.
2. The Secretary,
State of Tamil Nadu
Small Industries Department
Fort St. George,
Chennai-600 009.
3. The industries Commissioner
Director of Industries & Commerce
Chepauk, Chennai- 600 005.
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District Industry Centre,
Udakamandalam,
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5. The District Forest Officer
Sough Division Ootty
The Nilgiris District.
6. The Executive Officer
Kilkunda Panchayat,
Manjur,
Kunda Bridge Post,
Nilgiris District.

+1cc to the Government Pleader, S.R.No. 4826

W.P.No. 20961 of 2007

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TR(14/03/2018)

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