

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2018

Coram:

The Honourable Mr.Justice S.M. SUBRAMANIAM

W.P.No.8940 of 2013
and
M.P.No.1 of 2013

T.Janagan

...Petitioner

Versus

- 1.The District Forest Officer,
Vellore Division,
Vellore.
- 2.The Forest Range Officer,
Arcot Range,
Ranipet.
- 3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Anna Salai, Arcot Town,
Arcot.
- 4.S.Kamalakannan

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records in pursuance of the order dated 11.03.2013 passed by the first respondent under reference Che.Ma.A.No.8695 of 2012 on the file of the first respondent and quash the same.

For Petitioner : Mrs.T.Saraswathi
for
M/s.Waroan and Sai Rams

For Respondents - 1 & 2 : Mr.K.K.Ramesh
Govt. Advocate (Forest)

Respondent - 3 : Mr.P.R.Dhilip Kumar

Respondent - 4 : Mr.V.Raghavachari

ORDER

The order passed by the first respondent in proceedings dated 11.03.2013 is under challenge in this Writ Petition. The impugned order which is enclosed in page No.23 of the typed set of papers filed along with the Writ Petition, states that the Forest Department granted license in favour of one Mr.Kamalakannan to run the saw mill for a period of five years from 11.03.2013. The period of five years granted has also expired. This apart, even at the time of granting the license, the Civil Suit in O.S.No.69 of 2010 was pending before the Civil Court of law between the parties. The Authorities passed an order stating that all further considerations will be undertaken only after the disposal of the Civil Suit.

2. Mr.V.Raghavachari, the learned counsel appearing on behalf of the fourth respondent made a submission that the Civil Suit is still pending, however, the period of five years lapsed. Thus, the Authorities are empowered to consider the claim of the respective parties, subject to the outcome of the final order in the suit to be passed.

3. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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To

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

2.The Forest Range Officer,
Arcot Range,
Ranipet.

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3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Anna Salai, Arcot Town,
Arcot.

+lcc to Mr.V.Raghavachari, Advocate Sr.43769
+lcc to M/S.Waroan & Sai Rams, Advocate Sr.43797

W.P.No.8940 of 2013

br[co]
srg 9/8/2018



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