

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.28727 of 2017 and W.M.P. No.30904 of 2017

S.Jayashankar

.. Petitioner

Vs

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

2.The Forest Range Officer,
Gudiyatham Range,
Gudiyatham.

3.The Regional Officer,
Ministry of Environment and Forest,
No.34, Cathedral Road,
Nungambakkam, Chennai-34.

... Respondents

(the third respondent is suo
impleaded vide order of this
Court dated 30.10.2018 by RMDJ)

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to consider the representation given by the petitioner dated 19.04.2017 to renew the licence of the saw mill by incorporating the saw mill address 62-65, Sakthi Nagar, Anjuman Street Backside, Gopalapuram, Gudiyatham, Vellore.

For Petitioner : Mr.D.Rajagopal

For respondents: Mr.M.Santhanaraman,
Additional Government Pleader

ORDER

The petitioner has come up with this writ petition seeking a direction to the respondents to consider his representation dated 19.04.2017 to renew the licence of the saw mill by incorporating the address 62-65, Sakthi Nagar, Anjuman Street Backside, Gopalapuram, Gudiyatham, Vellore.

2. According to the learned counsel for the petitioner, the petitioner has been operating a saw mill in the name of Sri Srinivas Timber and Saw Mills, after obtaining Small Scale Industrial certificate from the Department of Industries and Commerce. Thereafter, the Saw Mill licence was renewed by the Forest Department from time to time. In the year 2011, the first respondent amended the G.O. stating that the Saw Mill owner has to get renewal once in five years on payment of Rs.5,000/-. According to him, the petitioner approached the respondents along with the demand draft, but they are not inclined to receive the same for renewal, in spite of his representation dated 19.04.2017. On the other hand, on 01.11.2017, the Forest Officials sealed the Saw Mill of the petitioner, without any notice. Hence, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondents submitted that subsequent to the filing of this writ petition, the petitioner preferred an Appeal, which is pending before the Appellate Authority.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, since the said Appellate Authority is not a party in this writ petition, this Court suo motu impleads the Regional Officer, Ministry of Environment and Forest, No.34, Cathedral Road, Nungambakkam, Chennai-34 as the third respondent and directs the said respondent to dispose of the said Appeal filed by the petitioner and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. Consequently, connected W.M.P. is closed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

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

2.The Forest Range Officer,
Gudiyatham Range,
Gudiyatham.

3.The Regional Officer,
Ministry of Environment and Forest,
No.34, Cathedral Road,
Nungambakkam, Chennai-34.

+1cc to the Special Government Pleader sr.74574
+1cc to Mr.S.Veeraraghavan, Advocate Sr.74532

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srg 14/11/2018



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