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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No. 12522 of 2018

B.Dinesh Patel

... Petitioner

vs.

The District Forest Officer
Tiruchirappalli Division
Tiruchirappalli District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to transfer the license for the existing sawmill, namely, M/s.Kesav Saw Mill, located at 122/3, Chennai Bye pass Road, Ariyamangalam, Tiruchirappalli - 620 010, in the name of the petitioner without insisting the original license No.78/2016 as per Rule 6 of the Tamilnadu Regulation of wood based industries Rules, 2010, within a stipulated period fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.N.Shanmuga Selvam

Additional Government Pleader

O R D E R

The grievance of the petitioner is that his representation dated 24.01.2018 seeking for issuance of license in his name in respect of M/s.Kesav Saw Mill, situated 122/3, Chennai Bye pass Road, Ariyamangalam, Tiruchirappalli - 620 010, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

2.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made by the petitioner, the respondent is duty bound to consider the same in one way or the other. Non-consideration of the same would amount to



dereliction of ordinary duties of his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to consider the petitioner's representation within a stipulated time.

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3. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 24.01.2018 on its own merits and take further action in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. Such exercise shall be completed after giving due opportunity to the petitioner as well as to the person, who may be interested in the subject matter.

4. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar

To

The District Forest Officer ,
Tiruchirappalli Division,
Tiruchirappalli District.

+1 CC to Mr.J.JEYAKUMARAN, Advocate in SR.No.72385

MSA

RJ/SV/SAR-4/20/07/2018 - 2P/3C

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