



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.16211 of 2020
(Through Video Conference)

A.Chandrasekar

... Petitioner

Vs

1) The District Collector,
District Collector's Office,
Trichy-1,
Trichy District.

2) The Deputy Inspector of Factories,
Office of Deputy Inspector of Factories,
No.2/3, Abdul Salam Road,
Kaja Nagar, Trichy - 20
Trichy District.

3) P.V.Jayaraman

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a **Writ of Mandamus**, directing the 2nd respondent herein to renew the factory license to Shri Jagadhambiga Rice Mill, which is situated at Manachanallur, Trichy District in the light of petitioner's representation dated 14.02.2020, within a stipulated period as may be fixed by this Court.

For Petitioner
For RR 1 & 2

: Mr.R.Sundar
: Mr.A.Karthik,
Government Advocate

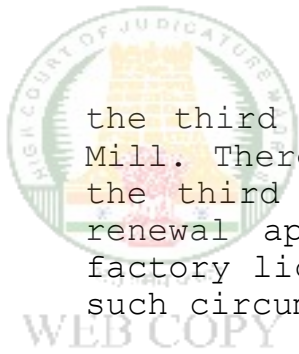
O R D E R

Mr.A.Karthik, learned Government Advocate accepts notice for the respondents. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to renew the factory license for Shri Jagadhambiga Rice Mill, which is situated at Manachanallur, Trichy District based on the petitioner's representation dated 14.02.2020 within a time frame to be fixed by this Court.

3. It is the case of the petitioner that he applied for renewal of the factory license for Shri Jagadhambiga Rice Mill, which is situated at Manachanallur, Trichy District with the second respondent. He has submitted an application for renewal with the second respondent on 05.07.2019.

4. It is also his case that there are disputes between him and
<https://hcservices.ecourts.gov.in/hcservices/>



the third respondent, who is the partner of Shri Jagadhambiga Rice Mill. There are also litigations pending against the petitioner and the third respondent. According to the petitioner, till date, the renewal application submitted by the petitioner for renewing his factory license has not been considered by the second respondent. In such circumstances, this writ petition has been filed.

5. Heard Mr.R.Sundar, learned counsel for the petitioner and Mr.A.Karthik, learned Government Advocate appearing for the respondents.

6. This Court cannot issue positive directions for grant of renewal of license in favour of the petitioner. It is for the second respondent to consider the petitioner's application for renewal of license for his factory on merits and in accordance with law.

7. As seen from the affidavit filed in support of this writ petition, there are disputes between the partners of Shri Jagadhambiga Rice Mill, in which, the petitioner claims that he is the Managing Partner and the third respondent is the partner. All the necessary parties will have to be heard by the second respondent before granting any renewal of factory license in Shri Jagadhambiga Rice Mill. However, the second respondent will have to necessarily consider the petitioner's application for renewal of factory license on merits and in accordance with law and cannot keep the said application in cold storage just because of the inter se disputes between the partners.

8. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application dated 14.02.2020 seeking for renewal of factory license for Shri Jagadhambiga Rice Mill, which is situated at Manachanallur, Trichy District and pass final orders on merits and in accordance with law after hearing the necessary parties, including the third respondent within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the aforesaid directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To:

- 1) The District Collector,
District Collector's Office,
Trichy-1,
Trichy District.
- 2) The Deputy Inspector of Factories,
Office of Deputy Inspector of Factories,
No.2/3, Abdul Salam Road,
Kaja Nagar, Trichy - 20
Trichy District.

+1 CC to M/s.SPL GP (SR-22184[F] dated 19/11/2020)

W.P. (MD) No.16211 of 2020
18.11.2020

VR (CO)
KB (03.12.2020) 3P 4C