



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.24046 OF 2021

M/s.Green Earth Organic
Represented by its Proprietor
Mr.Farook Ali Ibrahim

... Petitioner

.Vs.

1. The Chairman,
Tea Board of India,
No.14, BTM Saram,
(Barbourne Road),
Kolkatta 700 001.
2. The Executive Director and
Registering / Licensing Authority,
Tea Board of India,
Department of Commerce,
Union of India,
Shell Wood Club Road,
Post Box No.6,
Coonoor,
The Nilgiris District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd Respondent to renew the petitioner's Tea Waste License bearing No.TWC- 247 of M/s. Green Earth Organics within the time to be framed by this Hon'ble Court.

For Petitioner	: Mr.S.Murugan
For Respondents	: No Appearance

O R D E R

The petitioner has filed this petition seeking issuance of Writ of Mandamus directing the second Respondent to renew the petitioner's Tea Waste License bearing No.TWC- 247 of M/s. Green



Earth Organics within the time to be framed by this Court.

2.The case of the petitioner is that the petitioner has been running plantation company under the name and style of M/s.Green Earth Organic from the year 2012 and his company is 75 acres of plantations in and around Coimbatore and the Nilgiris District and his company is cultivating tea, coffee and assorted organic vegetables and his company has also produced bio-fertilizer through tea waste and it has been used as natural manure.

3.The further case of the petitioner is that the petitioner's company has obtained proper license for producing bio-fertilizer through tea waste and the said license has been renewed every year periodically. The license expired on 31.12.2019 and in order to renew the same, the petitioner submitted application before the Licensing

Authority on 06.02.2020 for the year 2020 with all relevant documents, however, the petitioner received a show cause notice from the second respondent on 05.03.2020 stating that his company has violated and breached the provisions and terms and conditions stipulated in the Tea Waste (Control) Order, 1959. The petitioner submitted reply to the show cause notice, however, the second respondent cancelled the license granted in favour of the petitioner company and the second respondent advised the petitioner to exhaust appeal remedy.

4.The further case of the petitioner is that the petitioner preferred appeal before the Joint Secretary (Plantation), Government of India, Ministry of Commerce and Industry, Department of Commerce and the Appellate Authority disposed of the appeal and vide proceedings dated 15.12.2020 directed the second respondent to renew the license on submission of undertaking by the petitioner that they shall strictly abide by all relevant Rules and Regulations under various control orders and the Tea Act, 1953. As per the direction given by the Appellate Authority, the petitioner furnished all the relevant documents necessary for renewal of licence to the second respondent, however, the second respondent has not yet renewed the license. Hence, this writ petition.

5.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the second respondent to comply with the proceedings of the Appellate Authority dated 15.12.2020, within a reasonable time frame and would further submit that the petitioner is ready to abide by the conditions imposed by the Appellate Authority.



6.Considering the limited request made by the learned counsel appearing for the petitioner, this Court directs the second respondent to comply with the proceedings of the Appellate Authority dated 15.12.2020, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediment.

7.This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Tea Board of India,
No.14, BTM Saram,
(Barbourne Road),
Kolkatta 700 001.
2. The Executive Director and
Registering / Licensing Authority,
Tea Board of India,
Department of Commerce,
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Shell Wood Club Road,
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The Nilgiris District.

+1cc to Mr.S.Murugan, Advocate, S.R.No.58219

W.P.No.24046 of 2021

KSM(CO)
PM/01/12/2021