



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.02.2022
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1816 of 2022
And
W.M.P.Nos.1955 and 1956 of 2022

Mr.Vijay

... Petitioner

Vs.

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

2.The Forest Ranger Officer,
Redhills Circle, Seethanjeri,
Thirumazhisai Uthukottai Road,
Thiruvallur District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent in Na.Ka.No.5506 / 2016 / L.9 dated 15.11.2021 quash the same and consequently direct the first respondent to transfer Form - II license issued under Tamil Nadu Regulation of Wood Based Industries Rule 2010 standing in the name of deceased Mr.Ramesh Lakshmi Yadav in license No.455 / 2010 L dt. 29.08.2011 to and favour of the petitioner Mr.Vijay.

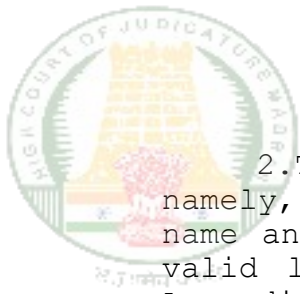
For Petitioner : M/s.Chithira Gomathy

For Respondents : Mr.T.Arun Kumar

Additional Government Pleader (Forests)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent in Na.Ka.No.5506 / 2016 / L.9 dated 15.11.2021, quash the same and to consequently direct the first respondent to transfer Form - II license issued under Tamil Nadu Regulation of Wood Based Industries Rule, 2010 standing in the name of deceased Ramesh Lakshmi Yadav in license No.455 / 2010 L dated 29.08.2011 to and in favour of the petitioner.



2.The case of the petitioner is that the petitioner's father namely, Ramesh Lakshmi Yadav was running a saw mill under the name and style of M/s.Sree Balakrishna Timber and Saw Mill with valid license and he renewed the license once in five years. Accordingly, on 09.02.2016, the petitioner's father made application for renewal of license and the renewal fee was also paid by him, however, the petitioner's father died on 29.02.2016. Thereafter, the petitioner

made application before the first respondent for effecting transfer of license to his name along with no objection letter from the other legal heirs, however, vide impugned order, the petitioner's request was rejected on the ground that the earlier license period expired on 29.08.2016. Aggrieved by the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that in the impugned order it is stated that if the petitioner prefers to file appeal, he can file appeal before the Principal Secretary to Government, Environment, Climate Change and Forest Department, Secretariat, Chennai - 600 009. Hence, without going into the merits of the case, this Court may permit the petitioner to prefer an appeal before the Principal Secretary to Government, Environment, Climate Change and Forest Department and issue direction to the Principal Secretary to Government, Environment, Climate Change and Forest Department to dispose of the said appeal within a reasonable time frame.

4.The learned Additional Government Pleader (Forests) appearing for the respondents raise no serious objection for this Court considering the request now made by the learned counsel appearing for the petitioner.

5.In view of the above, this Court permits the petitioner to file an appeal as against the impugned order before the Principal Secretary to Government, Environment, Climate Change and Forest Department, Secretariat, Chennai - 600 009, within a period of two weeks from the date of receipt of a copy of this order. If any such appeal is filed by the petitioner, the Principal Secretary to Government, Environment, Climate Change and Forest Department, shall consider the same and dispose of the same, as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



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To

1.The Principal Secretary to Government,
Environment, Climate Change and Forest Department,
Secretariat, Chennai - 600 009

2.The District Forest Officer,
Thiruvallur Division,
Thiruvallur,
Thiruvallur District.

3.The Forest Ranger Officer,
Redhills Circle, Seethanjeri,
Thirumazhisai Uthukottai Road,
Thiruvallur District.

+1 cc to M/s.Chithira Gomathy, Advocate Sr.NO. 6652

+1 cc to Government Pleader (FOREST) Sr.NO. 7148

W.P.No.1816 of 2022

And

W.M.P.Nos.1955 and

1956 of 2022

SRA (CO)

A.SK (04.02.2022)