



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO. 911 of 2022

M. Balamurugan

...Petitioner

Vs

1. District Collector/Asst.Director of Geology and Mining,
Coimbatore,
7/1, State Bank Road,
Gopalapuram,
Coimbatore-641 018.

2. District Environmental Engineer,
Tamil Nadu Pollution Control Board (Coimbatore North).
No.5, Ramasamy Nagar,
Kavundampalayam,
Coimbatore-641 030.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing respondents 1 & 2 to consider the petitioner's Application dated 07.09.2021 for Renewal of License to Quarry Brick Earth from Ancestral Patta Land and Application dated 07.09.2021 for Consent to Operate (CTO-Direct) for existing Brick Kiln before the respondents 1 & 2 respectively.

For petitioner :Mr. M. Marudhachalam

For Respondent :Mr. B. Vijay,
Additional Government Pleader for R1.

:Mr. Balamurugan,
Government Advocate for R2.

ORDER

The present petition has been filed seeking a direction to the respondents 1 & 2 to consider the application dated 07.09.2021 made by the petitioner for renewal of license to Quarry Brick Earth and for Consent to Operate for existing Brick Kiln.



2.Mr.B.Vijay, learned Additional Government Pleader takes notice for the 1st respondent & Mr. Balamurugan, learned Government Advocate takes notice for the 2nd respondent.

3.It is the case of the petitioner that without any prior notice to the petitioner, petitioner's brick kiln was closed by the 1st respondent vide communication dated 17.03.2021 on the ground that there is no licence for the petitioner's kiln and the electricity connection to the brick kiln was also disconnected by TANGEDCO. As the petitioner has already obtained the licence for doing his business, the petitioner had made application dated 07.09.2021 for renewal of license before the 1st and 2nd respondents. However, the said application was returned and has not been considered till date. Aggrieved by the same, the petitioner made legal representations dated 21.10.2021 & 18.12.2021 to respondents 1 & 2 to consider the application made by the petitioner. Since, the same being not considered till date, the petitioner has come up with this Writ Petition for the aforesaid relief.

4.Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to respondents 1 & 2 to consider the application made by the petitioner for renewal of licence to Quarry Brick kiln within the time frame fixed by this Court.

5.On the above contentions, heard the learned counsel for respondents and perused the materials available on record.

6.Upon perusal of the materials available on record, this Court without going into the merits of the case, directs the respondents 1 & 2 to consider the application dated 07.09.2021 made by the petitioner and dispose of the same in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this Order.

7.Accordingly, this Writ Petition is disposed of with the aforesaid direction. No Costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

NHS



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