



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.[MD]No.9477 of 2019

and

W.M.P.[MD]Nos.7453 of 2019 & 952 of 2020

M.Ganesan

... Petitioner

Vs.

1.The Principal Chief Conservator of Forest,
The Principal Chief Forest Office,
Panagal Building,
Saithapet,
Chennai - 600 015.

2.The Conservator of Forest,
Conservator office,
Collectorate Campus,
Virudhunagar.

3.The Wild life Warden,
Srivilliputhur No.8,
Kallikulam,
Srivilliputhur.

4.The Forest Ranger,
Range Office,
Near Explosive Office,
Sivakasi,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent vide Rc.No.WR4/2600/2018 dated 26.02.2019 and quash the same as illegal and consequently direct the first respondent to approve the petitioner's application dated 09.01.2017 for obtaining saw mill license, within a time frame that may be fixed by this Court.

For Petitioner

: Mr.D.Dhana Chandra Prakash

For Respondents

: Mr.T.Amjadkhan

Government Advocate



O R D E R

This consent order will dispose of the captioned main writ petition and the captioned two Writ Miscellaneous Petitions [WMPs] therein.

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2.As the captioned matters are being disposed of by a consent order it is not necessary to dilate on facts. Short facts will suffice and therefore it would serve the purpose to say that the subject matter is writ petitioner's application for a fresh license *qua* a saw mill being application dated 09.01.2017 made under 'Tamil Nadu Regulation of Wood Based Industries Rules, 2010' [hereinafter 'said Rules' for the sake of convenience and clarity].

3.The writ petitioner had approached this Court earlier vide W.P.[MD]No.945 of 2018 seeking a Mandamus *qua* disposal of his application and the writ petition was disposed of vide order dated 17.01.2018. However, the first respondent sent a communication dated 26.02.2019 bearing Reference Rc.No.WR4/2600/2018 [hereinafter 'impugned communication' for the sake of convenience and clarity] calling upon the writ petitioner to apply afresh *inter alia* citing a proposed amendment to said Rules. It is under these circumstances that the captioned writ petition has been filed.

4.Notice was ordered and in the counter affidavit first respondent has now made it clear that the 09.01.2017 application of the writ petitioner would be considered on its own merits and in accordance with law. Learned Counsel for writ petitioner submits that this would suffice for disposal of the captioned matter.

5.Therefore captioned writ petition and the two WMPs therein are disposed of by making the following consent order:

a) The first respondent shall dispose of writ petitioner's application dated 09.01.2017 *qua* fresh saw mill license under Tamil Nadu Regulation of Wood Based Industries Rules, 2010 on its own merits, in accordance with law as expeditiously as the business of the first respondent would permit and in any event within three [3] months from today ie., on or before **04.04.2022;**

b) The order / proceedings disposing of writ petitioner's aforementioned 09.01.2017 application shall be communicated to the writ petitioner under due acknowledgment within seven [7] working days from the date of disposal;

c) Though obvious, for the purpose of specificity it is made clear that this Court has not expressed any view or opinion on the merits of the matter in this order.



6. Captioned Writ Petition is disposed of with aforementioned directives. Consequently, captioned Writ Miscellaneous Petitions are disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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

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+1 CC to M/s.D.DHANACHANDRA PRAKASH, Advocate (SR-476[F] dated 05/01/2022)

+1 CC to M/s.SPL.GP (SR-766[F] dated 07/01/2022)

W.P. [MD]No.9477 of 2019

05.01.2022