



W.P(MD).No.17151 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.17151 of 2022

Bala Thirupathi S.V.Balsamy Ayyar and
Brothers Family Trust,
Represented by its Present Manager,
S.K.Ganesan,
Dindigul.

...Petitioner

Vs.

1.The District Forest Officer,
Dindigul Division,
Velunachiar Complex,
Dindigul-624 004.

2.Sarathy Saw Mill,
Represented by its Proprietor,
Ramesh,
Dindigul.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to cancel the license granted to the 2nd Respondent obtained by way of misrepresentation and fraudulent manner within the time frame stipulated by this Court.



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For Petitioner : Mr.Anandhapadmanabhan
For Mr.A.Sathasivam
For R1 : Mr.M.Senthil Ayyanar
Government Advocate
For R2 : Mr.A.Joseph Jerry

ORDER

This writ petition has been filed seeking a direction to the 1st Respondent to cancel the licence granted to the 2nd Respondent to run a saw mill.

2.It is the submission of the learned Counsel appearing for the Petitioner that the Petitioner herein is a charitable trust created by means of a registered deed of the year 1905. The Petitioner is the owner of the premises wherein, a saw mill is being run by the second respondent without obtaining any licence, which is in contravention of the Tamil Nadu Regulation of Wood Based Industries Rules, 2010, which prescribes the method and the manner for grant of licence, renewal and revocation of licence.

3.It is the case of the Petitioner that there is a licence, which was granted to Sarathy Saw Mill which was run in another premises and thereafter, the mill was shifted to the Trust property, which belongs to the Petitioner and it is now occupied by the second respondent and he does not possess licence to run a saw mill. The Petitioner had submitted a



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representation before the first respondent, dated 23.07.2022, wherein, it was brought to the notice of the first respondent that the second respondent has been running the saw mill without valid licence and requested him to take appropriate action against the second respondent.

4.It is submitted by the learned Government Advocate appearing for the 1st Respondent that though the Petitioner is a third party and legally speaking, he is not having any right to put across any objection, nevertheless, the representation submitted by the Petitioner would be considered and disposed of in accordance with law, since it is only bringing to the notice of the first respondent about certain illegality in running the saw mill.

5.In view of the above, this writ petition stands disposed of with a direction to the first respondent to dispose of the representation, dated 23.07.2022, within a period of eight weeks from the date of receipt a copy of this order. No costs.

20.09.2022

Index : Yes / No
Internet : Yes/ No
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MOHAMMED SHAFFIQ, J.

lr

To
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