



WEB COPY

W.P(MD).No.23676 of 202



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.23676 of 2022

K.Abdulla

... Petitioner

Vs.

1.The Principal Chief Conservation of Forest/
Cum-Chairman,
(For Wood Based Industries)
State Level Committee,
No.1, Jenis Road, Panagal Building,
Saidapet, Chennai-600 015.

2.The District Forest Officer,
O/o. The District Forest Officer,
Tirunelveli District-7.

...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 grant a license the Petitioner's saw mill to M/s.New Fathima Traders and Saw Mill situated at 20A/25, Cheranmadevi Road, Pettai, Tirunelveli District by considering the application submitted by the Petitioner, dated 07.01.2015 and in light of the communication forwarded by the 2nd Respondent in Na.Ka.No.Ku/2070/2020 dated 03.12.2020 in accordance with the Rule 3(ii) of the Wood Based Industries (Establishment and Regulation) Guidelines 2016 and Rule 4 (2) of the Tamil Nadu Regulation of Wood Based Industries Rules 2010 within the time stipulated by this Court.



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For Petitioner : M/s.A.Victoria
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This Writ Petition is filed praying for a writ of Mandamus directing the 1st Respondent to grant licence to the Petitioner's saw mill, namely, M/s.New Fathima Traders and Saw Mill, situated at 20A/25, Cheranmadevi Road, Pettai, Tirunelveli District, by considering the application submitted by the Petitioner, dated 07.01.2015 and in light of the communication forwarded by the 2nd Respondent in Na.Ka.No.Ku/2070/2020, dated 03.12.2020 in accordance with the Rule 3(ii) of the Wood Based Industries (Establishment and Regulation) Guidelines 2016 and Rule 4 (2) of the Tamil Nadu Regulation of Wood Based Industries Rules, 2010.

2. The Petitioner is running a saw mill in the name of M/s.New Fathima Saw Mill. The Petitioner submitted an application on 07.01.2015 before the 2nd Respondent for seeking grant of licence to his saw mill under Rule 4 (2) of the Tamil Nadu Regulation of Wood Based Industries Rules, 2010 and he remitted necessary fee to the 2nd Respondent for grant of such licence. The Petitioner's application has not been forwarded to the 1st Respondent, who is the competent authority to issue licence. The Petitioner submitted a reminder



letter on 03.10.2017 before the 2nd Respondent to consider and forward Petitioner's application to the 1st Respondent for granting licence to his saw mill. Based on Petitioner's reminder letter, on 07.10.2017, the 2nd Respondent informed the Petitioner that application was already forwarded to the 1st Respondent. In the meanwhile, again on 06.02.2018, the Petitioner remitted necessary fee of Rs.5,000/- to the 2nd Respondent for getting licence. The 2nd Respondent insisted the Petitioner to submit No Objection Certificate from the Pollution Control Board and Fire and Rescue Services Department. The Petitioner duly submitted the above mentioned two certificates along with vacant land tax receipt. On 13.12.2020, the 2nd Respondent has recommended and forwarded Petitioner's application along with necessary documents to the 1st Respondent office for granting licence. The 1st Respondent did not grant licence till date for the past two years even after the recommendation by the 2nd Respondent. Hence, the present writ petition.

3. It is submitted by the learned Additional Government Pleader for the Respondents that matter is now pending consideration before the State Level Committee and the said Committee shall pass appropriate orders on the application, dated 07.01.2015 on merits and in accordance with law.



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4. Recording the same, the State Level Committee is directed to consider and pass appropriate orders on the petitioner's application, dated 07.01.2015 on merits and in accordance with law as expeditiously as possible.

The writ petition stands disposed of. No costs.

03.11.2022

Index : Yes / No
Internet : Yes/ No
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To

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MOHAMMED SHAFFIQ, J.

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