



WEB COPY



W.P.No.6470 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.6470 of 2017
and W.M.P.No.6976 of 2017

S.Sarim Kumar

... Petitioner

Versus

1. The District Forest Officer
Salem Division, Salem.

2. The Assistant Engineer
Operation & Maintenance
Tamil Nadu Generation and Distribution Corporation Ltd.
Kolathur Rural, Kolathur
Salem District - 636 303
(R2-Impleaded as per order dated 15/6/2017
by DKKJ in WMP.16165/2017 in WP.6470/2017)
Respondents

..

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the order passed in Na.Ka. No.2511/16D dated 19.08.2016 on the file of the respondent herein and quash the same and consequently renew the license granted to the petitioner in License No.4/2011 dated 12.08.2011 for wood based industry namely Sri Ayyappa Traders and Saw Mill Located at No.1/3-33-C, New No.IV -23, Saveriyar Palayam, Kolathur Post, Mettur Taluk, Salem District.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.K.M.D.Muhilan for R1
Additional Government Pleader



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ORDER

This Writ Petition has been filed challenging the order passed in Na.Ka. No.2511/16D dated 19.08.2016 on the file of the respondent herein and quash the same and consequently renew the license granted to the petitioner in License No.4/2011 dated 12.08.2011 for wood based industry namely Sri Ayyappa Traders and Saw Mill Located at No.1/3-33-C, New No.IV -23, Saveriyar Palayam, Kolathur Post, Mettur Taluk, Salem District.

2. It is the contention of the learned counsel for the petitioner that the petitioner is running a Saw Mill under the name and style of Sri Ayyappa Traders and Saw Mill at Saveripalayam, Kolathur, Mettur Taluk, Salem District from the year 1993. Further, the petitioner applied for renewal of licence on 30.03.2016 along with prescribed fees. However, the respondent has passed the impugned order. Hence, this petition.

3. Mr.K.M.D.Muhilan, learned Additional Government Pleader submitted that grant of renewal of wood based industries license lies with the State Level Committee as per Rule 3A of Tamil Nadu Regulation of Wood Based Industries Rules, 2010 and not before the respondents herein.

4. Heard both sides and perused the materials placed on record. Having



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regard to the facts and circumstances of this case and having regard to the submissions of the learned Additional Government Pleader, this Court permits the petitioner to approach the concerned State Level Committee as per the Rule 3A of Tamil Nadu Regulation of Wood Based Industries Rules, 2010 for renewal of licences. Accordingly, no directions can be given to the respondents

5. In view of the above, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.02.2023

Index : Yes/No
dhk

To

1. The District Forest Officer
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Salem District - 636 303

N. SATHISH KUMAR, J.



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