



W.P. (MD) No. 3330 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 3330 of 2023

and

W.M.P. (MD) Nos. 3077 and 3078 of 2023

N.Yogambal

... Petitioner

Vs.

1.The Director of Industrial Safety
and Health,
Chennai.

2.The Joint Director of Industrial Safety
and Health, Trichy.

3. Malathi

4.K.Valarmathi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 08.12.2022 passed by the Second and Third Respondents renewing the license of the Thirumalai Modern Rice Mill situated in Plot No.13/2, Keelakalkandarkottai Road, Ariyamangalam, Tiruchirappalli, in the name of the Fourth Respondent, quash the same and consequently direct the First and Second Respondents to grant the renewal of



W.P. (MD) No. 3330 of 2023

license only to the person to be selected as Occupier by all co-owners of the Mills by the consent.

For Petitioner	: Mr. S.Arunachalam
For R1 & R2	: Mr. P.Subburaj, Special Government Pleader
For R4	: Mr. B.Jameel Arasu

ORDER

Heard Mr. S.Arunachalam Learned Counsel for the Petitioner, Mr. P.Subbaraj, Learned Special Government Pleader appearing for the First and Second Respondents and Mr. B.Jameel Arasu, Learned Counsel appearing for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the Proceedings dated 08.12.2022 passed by the Second and Third Respondents granting renewal of license for M/s.Thirumalai Modern Rice Mill, situated in Door No./Plot No.13/2, Keelakankandan Kotai Road, Ariyamangalam, Tiruchirappalli Taluk, Trichirappali District – 620010 to the Fourth Respondent for the period from



W.P. (MD) No. 3330 of 2023

08.12.2022 to 31.12.2025 under Rules 6 and 7 of the Tamil Nadu Factories Rules, 1950.

3. The grievance ventilated by the Petitioner is that there are disputes between the Petitioner and the Fourth Respondent relating to ownership of the said Rice Mill, in respect of which the suits in O.S. Nos. 120, 147, 168 of 2017, 201 of 2018 and 127 of 2019 are pending before the II Additional District Court, Tiruchirappalli for joint trial, and that no liability could be created on the Petitioner in the interregnum on account of grant of renewal of license to the Fourth Respondent.

4. In response to the said contention, the Fourth Respondent, who is present in Court today, has filed an Affidavit dated 27.02.2023, stating as follows:-

“I hereby undertake that I am the Licence Holder and Sole proprietor of M/s. Thirumalai Modern Rice Mill situated at in Survey No.26 and Plot No.13/2, Melakalkandarkottai Road, Ariyamangalam, Thiruchirappalli, I undertake that if any untoward



W.P. (MD) No. 3330 of 2023

incident takes place in connecting with the running of my above Rice Mill, I accept that I will be only responsible for all the consequences thereof as a Licence holder and no one can be held responsible in this regard. Further I undertake that I will take all legal consequences.”

In view of the same, which is accepted by Learned Counsel for the Petitioner, the apprehension of the Petitioner has ceased to exist, and nothing is required to be further decided in the matter.

5. At the same time, it shall be ensured that there is atleast one effective hearing every week showing progress of the suits in joint trial before the said Civil Court and monthly reports shall be sent in that regard to the Registrar (Judicial) of the Court till the matters are finally decided on merits and in accordance with law.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petitions are closed. No costs.



W.P. (MD) No. 3330 of 2023

WEB COPY

27.02.2023

Index : Yes/No
NCC : Yes/No
PKN

Note:- Issue order copy by 22.06.2023.

TO:

- 1.The Director of Industrial Safety
and Health,
Chennai.
- 2.The Joint Director of Industrial Safety
and Health, Trichy.

Copy To:

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai – 625023.
2. The II Additional District Judge,
Tiruchirappalli.

P.D.AUDIKESAVALU,J.

PKN

3. N.Yogambal,
W/o. Natchimuthu,
13/2, Melakkalkandarakkottai Road,
Ariyamangalam,
Tiruchirapalli-10.

5/6



W.P. (MD) No. 3330 of 2023

4. Valarmathi.K,
W/o. Late. Kathiresan,
13/2, Melakkalkandarakkottai Road,
Ariyamangalam,
Thiruchirapalli-10.

W.P. (MD) No. 3330 of 2023

27.02.2023