



WP (MD) No.19714 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.19714 of 2015
and
MP(MD)No.1 of 2015 and
WMP(MD)No.1641 of 2016**

K.Murugan

... Petitioner

Vs

1.The Member Secretary,
The Central Empowered Committee,
Gate No.31,
Jawaharlal Nehru Stadium,
Lodhi Rod,
New Delhi – 110 003.

2.The District Collector,
Collectorate,
Madurai District.

3.The District Forest Officer,
Office of the District Forest Officer,
Madurai Division,
Madurai, Madurai District.

4.The Assistant Electrical Engineer,
Distribution/ Metro,
TANGEDCO,
Solavandhan,
Madurai – 625 020.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned order in Ka.No.U.Me.Po.Na.So.Ko.Thani.A.No.322/2015 dated 16.10.2015 on the file of the respondent No.4 and quash the same as illegal and consequently direct the respondent No.3 to get the report from the respondent No. 1 Central Empowered Committee and consequently grant license for the petitioner's Saw Mill namely Murugan Saw Mill situated at No.46, Madurai Main Road, Solavandhan, Madurai as per Rule 4(2) of the Tamil Nadu Regulation of Wood Based Industries Rules, 2010 within the time stipulated by this Court.

For petitioner : Mr.T.Lajapathi Roy,
Senior Counsel for
Mr.S.Rajasekar

For Respondent : Mr.G.V.Vairam Santhosh
Nos.2 and 3 Additional Government Pleader

For Respondent : Mr.S.Deenadhayalan,
No.4 Standing Counsel

ORDER

The petitioner, who was running a sawmill has filed this writ petition as against the notice of the 4th respondent calling upon the petitioner to close down the sawmill that the petitioner has not obtained valid permission from the competent authority and also informed the petitioner that the electricity connection given to the sawmill would be disconnected within a period of three days.



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2. When this writ petition has been taken up for hearing, the learned Counsel on either side submits that the petitioner has not obtained permission from the State Level Committee constituted as per the directions of the Hon'ble Supreme Court and therefore, the electricity service connection given to the petitioner has already been disconnected. The learned Counsel for the petitioner further submits that though this Court has granted an order of interim stay of the impugned order, since the petitioner could not get the permission from the State Level Committee, the petitioner is not running the saw mill.

3. This Court considered the rival submissions and also perused the materials placed on record.

4. The order impugned in this writ petition is a show cause notice calling upon this petitioner to obtain necessary permission from the State Level Committee as constituted vide GO.Ms.No.16 Environment and Forests Department dated 07.02.2020. Admittedly the petitioner has not obtained any permission for the past 10 years. The State Level Committee has been constituted on the directions of the Hon'ble Supreme Court and therefore, this writ petition is disposed of with liberty to the petitioner to approach the State Level committee to



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obtain necessary license and thereafter, approach the respondent Electricity Board for getting electricity service connection. No costs. Consequently connected miscellaneous petitions are closed.

06.11.2023

dsk

To

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B.PUGALENDHI, J.

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