



W.P.(MD).No.21227 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.21227 of 2023

Mekinisa Rosey

... Petitioner

Vs.

1.The State Level Committee for regulation of wood based industries,
Represented by its Chairman,
Principal Chief Conservator of Forest,
Jennings Road, Pankal Maligai,
Saidapet,
Chennai.

2.The District Forest Officer,
District Forest Office,
Machuvaadi,
Pudhukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant license for the petitioner's saw mill namely “M/s Punitha Sebasthiyar Saw Mill”, S Melapatti Village, Pudhukottai Taluk, Pudhukottai District by passing final orders on the application preferred by the petitioner under Section 4 of the Tamil Nadu Registration of Wood based Industries Rules 2010 dated 22.05.2012 within the time that may be stipulated by this Court and



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consequently forbearing the respondents from taking any coercive action qua the petitioner till then.

For Petitioner : Mr.M.Mahaboob Athiff

For Respondents : Mr.B.Saravanan,
Additional Government Pleader.

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. This Writ Petition is filed for Mandamus, directing the respondents to grant license for the petitioner's saw mill namely “M/s Punitha Sebasthiyar Saw Mill”, S Melapatti Village, Pudhukottai Taluk, Pudukottai District by considering the petitioner's application dated 22.05.2012 under Section 4 of the Tamil Nadu Registration of Wood based Industries Rules 2010, and consequently forbearing the respondents from taking any coercive action against the petitioner till then.

3. The petitioner was already running a Saw Mill and has approached this Court to grant license by filing a Writ Petition in W.P.(MD).No.1027 of 2017



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and this Court vide order dated 23.01.2017 has directed the respondents to consider and pass orders on the petitioner's representation dated 12.10.2016 on merits within a period of twelve weeks. In the meanwhile, the petitioner's husband died. Hence, the petitioner could not file Contempt Petition.

4. It is seen that the petitioner's husband had submitted an application dated 22.05.2012 and submitted a reminder on 12.10.2016, but the respondents have not taken any action until now. Therefore, the first respondent is directed to consider the application dated 22.05.2012 within a period of four (4) months from the date of receipt of a copy of this order.

5. The petitioner's husband has submitted the application as early as 2012. But all these years, the respondents have not considered the application, inspite of earlier Court order. This Court is also taking note of the contempt committed by the respondents and in order to grant one more opportunity to the respondents, this Court is directing the respondents to comply with the order.

6. The petitioner submitted that since there is no license, the neighbour is objecting and by taking note of the objection of the neighbour, the respondents



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are troubling the petitioner. Since the petitioner's husband died, she being a widow finding very difficult to tackle the issue. Therefore, the respondents are restrained from disturbing the petitioner until the application of the petitioner is consider and pass orders. This Court is inclined to impose cost to the respondents. Therefore, the respondents are directed to pay Rs.25,000/- (Rupees Twenty Five Thousand only) to the petitioner.

7. In view of the above, this Writ Petition is allowed. No costs.

31.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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To
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The State Level Committee for regulation of wood based industries,
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2. The District Forest Officer,
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S.SRIMATHY, J.

Nsr

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