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W.P. No. 974 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 974 of 2024

T.Suyamburaj

... Petitioner

-VS-

1. The District Forest Officer,
O/o. the District Forest Officer,
Rajpal Street,
Manjakuppam,
Cuddalore District.

2. The Forest Ranger,
Forest Ranger Office,
Viruthachalam Range,
Viruthacalam,
Cuddalore District.

Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to renewal of the license of K.S.R. Saw Mill in R.S. No. 95A Survey No. 140/3 at K.S.R. Nagar, Thittakudi, Cuddalore District based on the Petitioner's representation dated 22.12.2023.

For Petitioner : Mr. P.Muthamizhselvakumar

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate



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ORDER

Heard Mr. P.Muthamizhselvakumar, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner has filed this Writ Petition seeking renewal of licence of K.S.R. Saw Mill in R.S. No. 95A, Survey No. 140/3, K.S.R. Nagar, Thittakudi, Cuddalore District based on his representation dated 22.12.2023.

3. In response, the First Respondent has filed a memo dated 18.01.2024 in which it has been stated as follows:-

“2. It is submitted that the licensee expired on 28.09.2015 and no valid document in support for inheriting the properties of the deceased owner of the saw mill was produced by any of his legal heirs.

3. It is submitted that following the provisions of Rule 6 of the Tamilnadu Regulation of Wood Based Industries Rules,



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2010, the transfer of a License cannot be permitted in the absence of requisite documents such as sale deed, Legal Heir Certificate or registered/unregistered will for division of property division. It is mandatory to furnish these documents to facilitate the transfer of the license.

4. I submitted that the deceased K.S.R.Thangarasu daughter Revathi submit the representation to the District Forest Officer to requested to stop the illegally Running sawmill by the Petitioner Suyambu Raj.

5. It is stated that a suit for declaration O.S. No. 115/2023 has been filed by one Revathi before the District Munsif Court, Thitakudi, which is currently pending and was posted on 21.01.2024. In such circumstances, it is being argued that the First and Second Respondents cannot consider renewing the licence, as the above mentioned suit is still pending.”

In such circumstances, the outcome of the said litigation would have to be awaited and depending upon it, the Petitioner may work out his remedies before



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the proper forum in the manner recognized by law.

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In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

18.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 01.04.2024.

vjt

To

1. The District Forest Officer,
O/o. the District Forest Officer,
Rajpal Street,
Manjakuppam,
Cuddalore District.
2. The Forest Ranger,
Forest Ranger Office,
Viruthachalam Range,
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P.D. AUDIKESAVALU, J.

vjt

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