



WEB COPY

W.P.No.8201 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.8201 of 2024

M/s.Revathy Brick Works,
Proprietor,
V.Radhika W/o. S.Veeran (Late)
No.3/96, Dr.Ambedkar Street,
Pattabiram Via
Poonamallee Taluk,
Thiruvallur District.

.... Petitioner

Vs

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Tahsildar,
Poonamallee Taluk,
Thiruvallur District.

3.A.Perumal

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to dispose of the petitioner's representation dated 01.03.2024 and to issue a renewal certificate to the petitioner to run brick kiln situated in S.No.158/4B, 159/4, Korattur B Madura Sithukkadu Village, Poonamallee Taluk.



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W.P.No.8201 of 2024

For Petitioner : Ms.T.Gnana Banu

For Respondents : Mr.M.R.Gokul Krishnan (for R1 & R2)
Additional Government Pleader

ORDER

Mr.M.R.Gokul Krishnan, learned Additional Government Pleader accepts notice for the District Collector, Thiruvallur District/R1 and Tahsildar, Poonamallee Taluk/R2 and is armed with instructions to enable a final disposal of this Writ Petition.

2. The prayer of the petitioner is for a mandamus directing the first respondent to dispose her representation dated 01.03.2024 seeking renewal of certificate to enable her to run a brick kiln at S.No.158/4B, 159/4, Korattur B Madura Sithukkadu Village, Poonamallee Taluk ('property'/'property in question').

3. Mr.Gokul Krishnan would convey that the representation would be disposed in accordance with law. He is aware of order dated 08.11.2019 passed in W.P.No.22239 of 2018, where this petitioner had challenged order dated 28.07.2018 passed by R1 rejecting the application for temporary licence to the petitioner to run a brick kiln in the property in question. That impugned order had been passed by virtue of an impediment posed by a Suit filed by R3, both in that Writ Petition and in



W.P.No.8201 of 2024

the present Writ Petition.

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4. At paragraph 10 of order dated 08.11.2019, the learned Judge has stated that if R3/plaintiff in O.S.No.401 of 2016 pending on the file of the District Munsif Court, Poonamallee succeeds in the suit, he is entitled to return of the property. Till then, to ensure proper utilization of the property in question which, at present, stands in the name of the petitioner, the pendency of the suit would not stand as an impediment. The Court has directed R1 to re-consider the rejection and grant temporary licence, provided all other requirements are fulfilled.

5. Learned Additional Government Pleader would confirm that order dated 28.07.2018 has been so re-considered and licence granted to the petitioner vide order dated 09.12.2019, which is effective till 16.04.2022.

6. At paragraph 11 of the affidavit filed in support of the Writ Petition, the petitioner states that from May, 2022, she has been approaching the official respondents for renewal of registration but to no avail. Hence, this Writ Petition seeking disposal of her latest representation dated 01.03.2024.

7. In light of the order of this Court dated 08.11.2019, which has attained finality, there appears to be no impediment for renewal of the



W.P.No.8201 of 2024

Dr.ANITA SUMANTH,J.

WEB COPY licence. That apart, seeing as the petitioner states that she has been seeking the relief from May, 2022 and the last licence has expired on 16.04.2022, there should be no further delay in considering the representation of the petitioner dated 01.03.2024 seeking renewal of registration. Let R1 hear the petitioner and pass necessary orders having regard to order dated 08.11.2019, within a period of four (4) weeks from date of receipt of a copy of this order.

8. This Writ Petition is disposed as above. No costs.

Sl

28.03.2024

Index:Yes/No

Speaking order

Neutral Citation:Yes

To

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Tahsildar,
Poonamallee Taluk,
Thiruvallur District.

W.P.No.8201 of 2024