



W.P. No. 23536 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

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

**W.P. No. 23536 of 2023
and
W.M.P. No. 23045 of 2023**

Amutha

... Petitioner

-VS-

1. The District Forest Officer,
Villupuram Forest Division,
Villupuram.
2. The Forest Range Officer,
Tindivanam Forest Range,
Indira Nagar,
Tindivanam,
Villupuram District.
3. The Member Secretary,
Central Empowered Committee,
Constituted by the Hon'ble Supreme Court of India,
Room No. 106, Parayavar Bhavan,
New Delhi – 110 003.
4. The State Level Empowered Committee,
Chairman of State Level Empowered Committee and
Principal Chief Conservator of Forest,
Panagal Maligai,
Saidapet,
Chennai – 600 015.
(R4 is impleaded vide order dated 26.09.2023
in W.M.P. No. 26477 of 2023)

Respondents

...



WEB COPY



W.P. No. 23536 of 2023



W.P. No. 23536 of 2023

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent herein to consider the Petitioner's Application followed by reminder Application dated 17.07.2023 within time frame to be stipulated by this Court and to consequently grant license to the Petitioner's concern "M/s Sri Elumalaiyar Sami Saw Mill" under Tamil Nadu Regulation of Wood based Industries Rules, 2010.

For Petitioner : Mr. P.Dinesh Kumar

For Respondents : Mr. B.Vijay,
Additional Government Pleader
(for R1, R2 & R4)

ORDER

Heard Mr. P.Dinesh Kumar, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the First, Second and Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. Having regard to the nature of order proposed to be passed in the Writ Petition, which would not cause any prejudice to the Third Respondent, notice to him is dispensed with.

3. The Writ Petition has been filed seeking a direction to the First



W.P. No. 23536 of 2023

Respondent to consider her application dated 17.07.2023 made as Proprietrix of M/s. Sri Elumalaiyar Sami Saw Mill under the Tamil Nadu Regulation of Wood Based Industries Rules, 2010.

4. In response, the First Respondent has filed Status Report dated 10.01.2024 stating as follows:-

“5. It is respectfully submitted that the proposal was considered in the State Level Committee on 21.01.2021 and deferred for want of wood balance study (availability of wood for established New Sawmills) vide Principal Chief Conservator of Forests, Chennai Ref. No. WR4/6822/2020, dt. 25.06.2021.

6. It is respectfully submitted that the Central Empowered Committee in its minutes of the meeting held on 31.07.2013 have guided that license for new sawmill may be issued based on the availability of wood in the area of outside Forests. Moreover, already as on date 324 New Sawmills have applied for new sawmill license to the mills. The applicants Sawmill is also one of the Sawmill in the list. Based on the availability of wood in the



W.P. No. 23536 of 2023

WEB COPY

outside Forests, these Sawmills will be granted New Sawmill license based on the seniority. Therefore, the proposal was sent (“wood balance study”) to Institute of Wood Science and Technology (IWST) Bangalore for granting new license as per Tamil Nadu regulation of wood based industry Rules 2010 vide Principal Chief Conservator of Forests, Chennai Ref. No. 6822/ 2020, dt.01.02.2023. The action is being to complete the Wood balance study in the State of Tamil Nadu. On finalization of wood balance study report the applicants claim will be considered based on the availability of wood and the seniority of the applicants Sawmill in the pending list.”

In view of the aforesaid action taken, nothing remains for further consideration in the Writ Petition, but it would be incumbent upon the First Respondent to inform the Petitioner of the status of her application every quarterly under written acknowledgment. If the Petitioner has any further grievance to be redressed in the matter, she is not precluded from working out her rights before the proper forum in the manner recognized by law.



W.P. No. 23536 of 2023

In the result, the Writ Petition is disposed with the aforesaid observations.

Consequently, the connected Miscellaneous Petition is closed. No costs.

10.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 01.04.2024.

vjt

To

1. The District Forest Officer,
Villupuram Forest Division,
Villupuram.
2. The Forest Range Officer,
Tindivanam Forest Range,
Indira Nagar,
Tindivanam,
Villupuram District.
3. The Member Secretary,
Central Empowered Committee,
Constituted by the Hon'ble Supreme Court of India,
Room No. 106, Parayavar Bhavan,
New Delhi – 110 003.
4. The Chairman of State Level Empowered Committee and
Principal Chief Conservator of Forest,
State Level Empowered Committee,
Panagal Maligai,
Saidapet,
Chennai – 600 015.



WEB COPY



W.P. No. 23536 of 2023

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 23536 of 2023

10.01.2024