



W.P(MD)Nos.9607 & 9319 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)Nos.9607 & 9319 of 2023

and

W.M.P.(MD)No.8358 of 2023

In W.P.(MD)No.9607 of 2023

M.Rakshan Prem (minor)

... Petitioner

Vs.

1.The City Municipal Corporation Commissioner,
Thanjavur District,
Thanjavur.

2.The District Forest Officer,
Forest Office,
Pillayarpatti,
Thanjavur District.

3.The District Officer,
Fire and Rescue Office,
Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent nos.1 to 3 to issue license in the name of petitioner's son Master M.Rakshan Prem for M/s. Sri Ganesh Swa mill instead of her husband one Late Mr.Mathavaraj by considering the petitioner's representation dated 13.04.2023.



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For Petitioner : Mr.A.Azhageson

For Respondents : Mr.N.Dilipkumar for R1

: Mr.T.Villavankothai
Additional Government Pleader for R2 & R3

In W.P.(MD)No.9319 of 2023

Sumathi

... Petitioner

Vs.

1.The District Forest Officer,
Thanjavur Division,
Thanjavur.

2.Minor.Rakshan Prem
Represented through his mother and guardian
R.Rathina,
No.52-A, New Street,
Othakadai, Cantonment,
Tiruchirappalli-620001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to consider the issue pertaining to the transfer of the license which was issued in the name of the petitioners brother Madhavaraj in Pro.No.2171/2016/L dated 20.05.2016 on the basis of the outcome of the suit in O.S.No.113 of 2022 on the file of the II Additional District Judge, Thanjavur.

For Petitioner : Mr.Raguvarangopalan
for Mr.L.Siva

For Respondents : Mr.T.Villavankothai
Additional Government Pleader for R1



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COMMON ORDER

Heard both sides.

2. Rathna married one Mathavaraj. Mathavaraj is no more. Even during his life time, there were differences of opinion between Rathna and her husband. The only issue that now calls for consideration is whether the license that stood in the name of Mathavaraj should be transferred in the name of the minor son Rakshan Prem. This was opposed by the sister of Mathavaraj namely Sumathi. Sumathi informs this Court that the issue had been compromised before the jurisdictional civil Court and that she only wants Rathna to register the compromise decree. The learned counsel for Rathna informs this Court on instructions that Rathna will cooperate in registering the compromise decree. This undertaking is recorded. Once the compromise decree is registered and the same is produced before the District Forest Officer, Pillayarpatti, license shall be transferred in favour of Rakshan Prem.



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G.R.SWAMINATHAN, J.

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3. W.P.(MD)No.9607 of 2023 is allowed. W.P.(MD)No.9319 of 2023 is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

27.03.2024

Index : Yes / No

Internet : Yes/ No

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To

1.The District Forest Officer,
Forest Office,
Pillayarpatti,
Thanjavur District.

2.The District Officer,
Fire and Rescue Office,
Thanjavur District.

W.P(MD)Nos.9607 & 9319 of 2023

27.03.2024