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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K. ILANTHIRAIYAN

W.P.(MD)No.31187 of 2024

Alagar

...Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Theni District.
- 2.The Revenue Divisional officer,
Periyakulam,
Theni District.
- 3.The Assistantance Director,
Mines and Minerals Department,
Theni, Theni District.
- 4.The Tahsildar,
Aundipatti,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records relating to the summon issued by the second respondent in Na.Ka.No.7837/2022/A5, dated 20.10.2022 and fourth respondent's memo in Na.Ka.No.9344/2023/A5, dated



3.1.2024 and consequently to direct the first respondent to consider the application dated 21.12.2022.

For Petitioner : Mr.A.Joseph Jerry

For Respondents : Mr.S.Shanmugavel
Addl. Govt.Pleader

ORDER

The present Writ Petition is filed challenging the summons issued by the second respondent in Na.Ka.No.7837/2022/A5, dated 20.10.2022 and fourth respondent's memo in Na.Ka.No.9344/2023/A5, dated 3.1.2024 and consequently to direct the first respondent to consider the application, dated 21.12.2022.

2.Mr.S.Shanmugavel, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.On a perusal of the summons, dated 20.10.2022 would reveal that the Petitioner was called upon to appear for an enquiry to be conducted on



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7.11.2022. Therefore the same become infructuous, as nothing survives in the summons. The memo, dated 3.1.2024 states that in pursuant to the order passed by this Court in W.P.No.21489 of 2023, dated 29.11.2023 directed to stop the unauthorized and unlicensed brick Klin industries. In pursuant to which, the said memo was issued to the petitioner to stop the brick klin industries which was run without any license or without any permission.

4.The learned counsel for the Petitioner would submit that the Petitioner had already submitted a representation seeking license and it is pending on the file of the first respondent.

5.In view of the above, this Court finds no infirmity or illegality in the memo issued by the Petitioner, dated 3.1.2024. As such the Writ Petition is devoid of merits and the same is liable to be dismissed.

6.Accordingly, the Writ Petition is dismissed. No costs. However, the second respondent is directed to consider the application submitted by the Petitioner seeking license to run the brick klin industries in the manner known to law within a period of four weeks from the date of receipt of a copy of this



order. Consequently, connected Miscellaneous Petition is closed.

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20.12.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
vsn

To:

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G.K.ILANTHIRAIYAN., J.

vsn

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