



W.P.(MD)No.4489 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.4489 of 2025
and
W.M.P.(MD)No.3230 of 2025

1.Poosathurai
2.Veera Raj

...Petitioners

-Vs-

1.The Chairperson,
Tamil Nadu Pollution Control Board,
Mount Salai, Guindy, Chennai-32.

2.The District Collector,
O/o.the District Collector,
Tenkasi District.

3.The Assistant Director,
Geology and Mining,
Tenkasi District.

4.The Revenue Divisional officer,
Sankarankovil,
Tenkasi District.

5.The Thasildar,
Thasildar Office,
Sivagiri Taluk,
Tenkasi District.

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from in any way interfering with the running of small-scale brick kilns units by the petitioners without considering the applications for issuance of license pending before the second respondent.

For Petitioner : Mr..Yasar Arafath
For Respondent : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Mr.P.Thilak Kumar, learned Government Pleader takes notice for the respondents.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.This writ petition is filed to forbear the respondents from interfering with the running of small-scale brick kilns units by the petitioners without considering the applications for issuance of license pending before the second respondent.



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4.The petitioners are running brick kiln in Sivagiri Taluk. It is a small scale unit. The petitioners are renewing their license every year without fail by paying necessary fee before the competent authority. For this year also, they have made their applications for renewal of their license and the same is pending before the second respondent. While so, the fourth respondent is directing the petitioners to shut down the brick kiln without providing any opportunity of hearing to the petitioners and interfering with their business. Hence, the petitioner has filed this writ petition.

5.The learned Government Pleader appearing for the respondents submits that the application submitted by the first petitioner has already been considered and orders have been passed rejecting the application of the first petitioner seeking renewal of license to his brick kiln and a copy of the order dated 21.01.2025, has also been produced before this Court. Further, the application of the second petitioner is pending for consideration.

6.Since the application of the first petitioner has been rejected, this Court directs the first petitioner to challenge the order of rejection passed on the application filed by him seeking renewal of his license, if so advised. Further, the second respondent is directed to pass orders on the application of the second



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respondent on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

7.With the above direction, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
20.02.2025

Index : Yes/No
Internet : Yes/No
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To

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