

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.1113 of 2022

Sri Dhan Kumar Noatia @ Dhan Kumar Tripura

.....*Petitioner(s)*;

V E R S U S

The State of Tripura & others

.....*Respondent(s)*.

For Petitioner(s) : Mr. K. Datta, Advocate.

For Respondent(s) : Mr. Debalay Bhattacharya, G.A.

HON'BLE THE CHIEF JUSTICE (ACTING)

Order

03/01/2023

By means of this present writ petition, the petitioner has expressed his grievance and dissatisfaction against the respondents for non-issuance of tree registration certificate of 250 nos. of trees after conducting joint verification of the land of the petitioner for marking the said number of trees.

2. Petitioner has sought for the following reliefs:

"(i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the Respondents for conducting joint verification/ demarcation of land of the petitioner for marking 250 nos. of trees.

(ii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders,

direction/directions of like nature shall not be issued whereby directing the Respondents for issuance of tree registration certification of 250 nos. of trees after conducting joint verification/ demarcation of land of the petitioner for marking 250 nos. of trees.

(iii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of certiorari and/or order/ orders, direction/ directions of like nature shall not be issued calling for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides

And

Make the Rules absolute after hearing the Parties.

And

Pass any other order/orders as this Hon'ble High Court may consider fit and proper.”

3. The facts of the case, in a nutshell, are that the petitioner had planted 250 nos. of trees over his land and accordingly applied for tree registration certificate on 17.08.2005 addressing the respondent No.2- the Divisional Forest Officer, Ambassa Division, Dhalai Tripura. On 25.03.2006, the respondent No.2 issued a letter requesting respondent No.4- the Sub-Divisional Magistrate, Ambassa Sub-Division, Dhalai Tripura for joint verification of land for issuing tree registration certificate for extraction of trees from non-forest land.

4. Thereafter, on 14.08.2006, the respondent No.4 issued a memo to the Tehsilder, Ambassa T.K. directing him to conduct joint verification on

the land of the petitioner and trees with concerned Range Officer and furnish detailed report after completion of the verification work, but till date, no such verification has been done resulting in non-issuance of tree registration certificate. Finding no other alternative, the petitioner submitted a representation dated 22.11.2022 to the respondent No.4 by registered post for joint verification of his land, but no response has been received by the petitioner so far. Hence, this case.

5. Mr. K. Datta, learned counsel appearing on behalf of the petitioner, submits that the petitioner paid requisite fees for joint verification but till date, no such verification has been done by the respondents thereby tree registration certificate could not be issued. On the other hand, Mr. Debalay Bhattacharya, learned Government Advocate, did not give any objection to the contentions raised by the learned counsel for the petitioner.

6. In view of the above submissions made by the learned counsel for the petitioner, this Court directs the respondent No.4 to consider the representation dated 22.11.2022 of the petitioner strictly in accordance with law as early as possible, preferably within a period of 2(two) months from the date of receipt of copy of this order.

7. With the above directions and observations, the present writ petition stands disposed of. Pending application(s), if any, also stands disposed of.

CHIEF JUSTICE (ACTING)

Pijush

