

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.24661 of 2015

S.Muthumalai Raja, Advocate.

.. Petitioner

-vs-

1.The Regional Officer,
Ministry of Road Transport & Highways,
C-1 A Rajaji Bhavan, Besant Nagar,
Chennai.

2.The Chief Engineer,
Department of National Highways,
Chepauk, Chennai.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to consider the representation dated 20.07.2015 and to take necessary steps to safeguard 9000 trees approximately likely to be cut down or uprooted as per tender notice dated 09.04.2015 in accordance with law.

For Petitioner : Mr.C.D.Johnson

For Respondents : Mr.Su.Srinivasan
Asst. Solicitor General for R-1

: Mr.S.T.S.Moorthy
Govt. Pleader, assisted by
Mr.V.Shanmughasundar, for R-2
Government Advocate

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner has no special expertise in the subject matter nor has done any ground work on the issue. We are, thus, not

inclined to entertain the petition at the behest of an advocate, who, in such a situation, becomes only a name lender.

2.Writ Petition is, thus, dismissed. No costs.

3.In view of the subject raised, we suo motu call upon the respondent-authorities to place before us whether an impact study has been done qua the uprooting of trees and what measures have been taken for alternative plantation. It should also be explained whether there is no other possibility, keeping in mind that it is alleged that 9,000 trees are likely to be cut down and uprooted and what are the nature of trees which would have to be cut.

4.An affidavit be filed within two (2) weeks.

5.List on 01.09.2015 as suo motu proceedings.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

Note: Mark a copy to

i) The Registrar-General, for taking up suo-motu proceedings.

(ii) The Section Officer, Writ (A.E.) Section.

sra

To

1.The Regional Officer,
Ministry of Road Transport & Highways,
C-1 A Rajaji Bhavan, Besant Nagar,
Chennai.

2.The Chief Engineer,
Department of National Highways,
Chepauk, Chennai.

+1 cc to Mr.C.D.Johnson, Advocate, sr.41838

+1 cc to The Government Pleader, sr.41886.

Copy to:

- 1) The Registrar General, High Court, Madras.
- 2) The Section Officer, (Writ AE) Section, High Court Madras.
- 3) The Section Officer, Writ Section, High Court, Madras. (Listing on 01/09/2015)

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jp(co), kra(27/08)



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