

In the High Court of Judicature at Madras

Dated : 24.11.2015

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.37301 of 2015

M.Mary

...Petitioner

Vs

1. The District Collector, Salem District, Salem.
2. The Revenue Divisional Officer, Attur, Salem District.
3. The Tahsildar, Gengavalli Taluk, Salem District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to remove the two tamarind trees at S.No.377/6, Koneripatti Village, Gengavalli Taluk, Salem District by considering the petitioner's representations dated 15.5.2015 and 7.10.2015.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.R.Govindasamy,
Additional Government Pleader

ORDER

Mr.R.Govindasamy, learned Additional Government Pleader takes notice for the respondents. Heard the learned counsel for the petitioner. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner seeks to remove the two tamarind trees, which are admittedly belonging to the Government, for which, 2C patta has been periodically granted. The petitioner would state that the trees are situated very near his house and are endangering the lives and that though the respondents found the trees to be very old and would be a hazard to the nearby residents about 8 years ago, till date, no steps have been taken to remove them. Therefore, the petitioner is before this Court by way of a writ petition.

3. It is rather unfortunate that the respondent officials have not responded to any of the representations of the petitioner for such a trivial matter, which necessitated the petitioner to approach this Court. The respondents 2 and 3 are liable to be proceeded against in the light of the recent Government Order issued by the Government of Tamil Nadu, which mandates that all representations should be considered within a time frame. Be that as it may, the petitioner is now before the third respondent.

4. Accordingly, the writ petition is disposed of with a direction to the third respondent to consider the representation of the petitioner dated 7.10.2015 on merits and pass appropriate orders thereon in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

RS

Sd/-
Assistant Registrar (CS-V)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Attur, Salem District.
3. The Tahsildar,
Gengavalli Taluk, Salem District.

+1 C.C. To MR.R.Jayaprakash, Advocate in SR.NO.64053

+1 C.C. To Government Pleader in SR.NO.63938

W.P.No.37301 of 2015

SV(CO)

sd : 10/12/2015

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