



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. Nos.47 to 55 of 2015
and
M.P. Nos.1 of 2015

M. Rajendran	...Petitioner in W.P. No.47 of 2015
M.Ranganathan	...Petitioner in W.P. No.48 of 2015
M.Thangavel	...Petitioner in W.P. No.49 of 2015
P.Arumugam	...Petitioner in W.P. No.50 of 2015
N.Anumanthan @ Chinnapiyaa	...Petitioner in W.P. No.51 of 2015
V.Dhanapal	...Petitioner in W.P. No.52 of 2015
C.Arunmanthan	...Petitioner in W.P. No.53 of 2015
C.Krishnan	...Petitioner in W.P. No.54 of 2015
C.Ramesh	...Petitioner in W.P. No.55 of 2015

vs.

The Forest Range Officer
Dharmapuri Forest Range
Collectorate Post
Dhamapuri 636 705

...Respondent in W.P.No.47 to 55 of 2015

Prayer in W.P. No.47 to 55 of 2015:

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records pertaining to the impugned eviction notice dated 30.10.2014 issued by the respondent under Section 68-A of the Tamil Nadu Forest Act, 1882 and to quash the same as illegal.

For petitioner in all the petition	:	Mr. D. Baskar
For respondent in all the petition	:	Mr. M.K. Subramanian Spl. Govt. Pleader - Forest



COMMON ORDER

In view of commonality of the issue involved, these writ petitions are being considered and decided by this common order, at the admission stage, with the consent of the learned counsel on either side.

2 The challenge in these writ petitions is to the notices dated 30.10.2014 issued by the respondent under Section 68-A of the Tamil Nadu Forest Act, 1882, whereby and whereunder, the petitioners have been asked to explain as to why they should not be evicted from their respective land as the same belong to reserve forest and that the petitioners have committed encroachment.

3 According to the learned counsel for the petitioners, pursuant to the impugned notices, the petitioners have submitted their reply by way of representations on 09.11.2014 and thereafter, no action has been taken.

4 Heard the learned counsel for the petitioners and the learned Special Government Pleader (Forest) appearing for the respondent.

5 Needless to state that the impugned notices dated 30.10.2014 are by way of show cause notices and the authorities are under an obligation to consider the petitioners' representations and pass appropriate orders in accordance with law and on their own merits. It is not necessary to point out that no action can be taken till the petitioners' representations are considered and final orders passed therein.

6 The writ petitions are disposed of with the above observations. Costs made easy. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

cad



To

The Forest Range Officer
Dharmapuri Forest Range
Collectorate Post
Dhamapuri 636 705

1 CC to Mr.R.Thamaraiselvan, Advocate SR.No. 290

1 CC to the Government Pleader, SR.No. 209

W.P. Nos.47 to 55 of 2015

JP (CO)
PSI (20.01.2015)