

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2015

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition Nos.6219 to 6228 of 2015

|               |     |            |                |         |
|---------------|-----|------------|----------------|---------|
| Palaniyappan  | ... | Petitioner | in W.P.No.6219 | of 2015 |
| R.Rajendran   | ... | Petitioner | in W.P.No.6220 | of 2015 |
| G.Selvam      | ... | Petitioner | in W.P.No.6221 | of 2015 |
| C.Annamalai   | ... | Petitioner | in W.P.No.6222 | of 2015 |
| V.Murugesan   | ... | Petitioner | in W.P.No.6223 | of 2015 |
| A.Mari        | ... | Petitioner | in W.P.No.6224 | of 2015 |
| R.Periyasamy  | ... | Petitioner | in W.P.No.6225 | of 2015 |
| R.Arunachalam | ... | Petitioner | in W.P.No.6226 | of 2015 |
| K.Periyammal  | ... | Petitioner | in W.P.No.6227 | of 2015 |
| N.Sannasi     | ... | Petitioner | in W.P.No.6228 | of 2015 |

-Vs-

1. The State of Tamilnadu  
rep. by the Secretary to Government  
Revenue Department  
Fort St.George  
Chennai-600 009.
2. The State of Tamilnadu  
rep. by the Secretary to Government  
Environment and Forest Department  
Fort St.George  
Chennai-600 009. ... 1 and 2 Respondent in all Wps.
3. The District Collector  
Namakkal, Namakkal District.
4. The Tahsildar  
Rasipuram Taluk  
Namakkal District.
5. The District Forest Officer  
Namakkal  
Namakkal District. ...R3 to R5 in Wps 6219, 6221 to 6226/15

R3. The District Collector,  
Salem, Salem District.

R4. The Tahsildar,  
Athur T.K, Salem District.

R5. The District Forest Officer,  
Salem, Salem District.

... R3 to R5 in Wps.6220, 6227 and 6228/15

Common Prayer:

Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents to consider the case of the petitioner in terms of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 read with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007 for issuance of patta to the petitioner.

For petitioners : Mr.A.R.Suresh  
in all WPs. for Mr.V.Thirupathi

For respondents : Mr.S.Gunasekaran  
in all WPs. Government Advocate  
for RR1, 3 and 4

Mr.M.K.Subramanian  
Special Government Pleader  
assisted by Mr.N.Inbanathan  
Government Advocate  
for Respondents 2 and 5

#### COMMON ORDER

Heard Mr.A.R.Suresh, learned counsel appearing for the petitioners; Mr.S.Gunasekaran, learned Government Advocate appearing on behalf of respondents 1, 3 and 4; and Mr.M.K.Subramanian, learned Special Government Pleader, assisted by Mr.N.Inbanathan, learned Government Advocate appearing for respondents 2 and 5. With the consent of either side, these Writ Petitions are taken up for final disposal at the admission stage.

2. It is brought to the notice of this Court that, under similar circumstances, this Court has disposed of a batch of writ petitions in W.P.Nos.721 to 730 of 2015 vide order dated 12.01.2015 following the earlier order passed by this Court dated 09.01.2015 in W.P. Nos.35215 to 35234/2014. The operative portion of the order passed in W.P. Nos.35215 to 35234/2014 etc. batch reads as follows:-

"12. In view of the above, while rejecting the prayer to quash the impugned proceedings, the writ petitions are disposed of with a direction to the Fast Track Court, Namakkal to hear and to dispose of the appeals filed by the Forest department in C.M.A. No.32/2011 etc., after hearing the parties, as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. It is made clear that all the petitioners, who are respondents in the appeals, shall co-operate in the expeditious disposal of appeals, without taking unnecessary adjournments.

13. It is made clear that the respondents should not evict the petitioners. The petitioners are directed not to encroach or put up any permanent construction or encumber the lands in question, during the pendency of the proceedings before the Fast Track Court, Namakkal...."

3. Following the same, these Writ Petitions are also disposed of on the same lines. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Secretary to Government  
State of Tamil Nadu  
Revenue Department  
Fort St. George  
Chennai-600 009.

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2. The Secretary to Government  
State of Tamil Nadu  
Environment and Forest Department  
Fort St.George  
Chennai-600 009.

3. The District Collector  
Namakkal, Namakkal District.

4. The Tahsildar  
Rasipuram Taluk  
Namakkal District.

5. The District Forest Officer  
Namakkal  
Namakkal District.

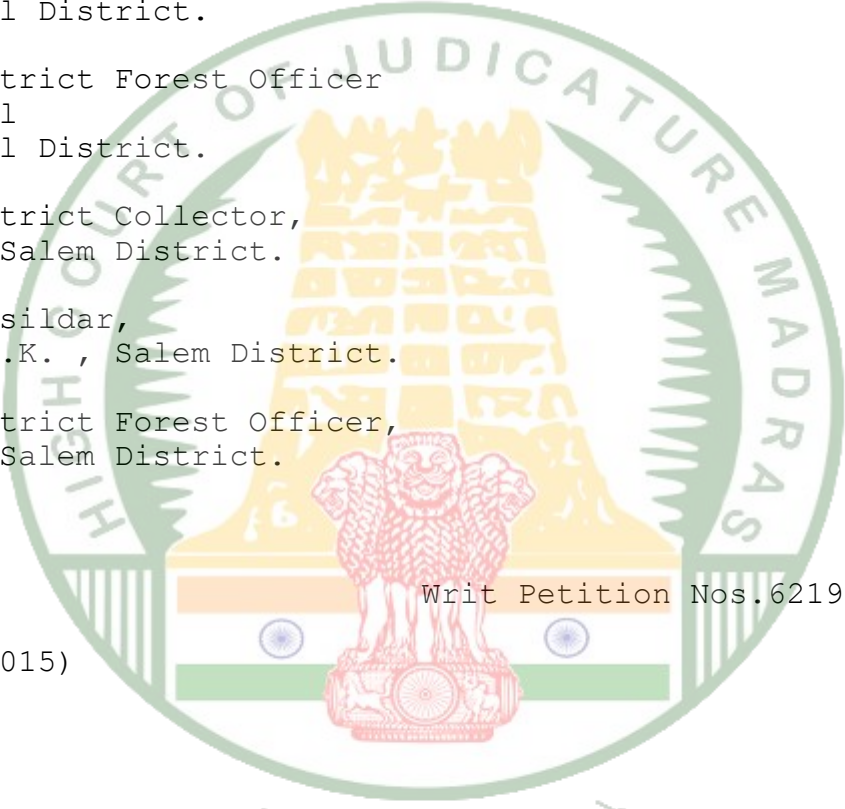
6. The District Collector,  
Salem, Salem District.

7. The Tahsildar,  
Athur T.K. , Salem District.

8. The District Forest Officer,  
Salem, Salem District.

SCD(CO)  
CA(13/03/2015)

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