

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.8820/2015

M.Santhanam

..

Petitioner

Versus

- 1.The Secretary to Government  
State of Tamilnadu,  
Revenue Department, Fort St. George  
Chennai 600 009.
- 2.The Secretary to Government  
State of Tamil Nadu  
Environment and Forest Department  
Fort St. George, Chennai 600 009.
- 3.The District Collector  
Salem, Salem District.
- 4.The Tahsildar  
Athur T.K. Salem District.
- 5.The District Forest Officer,  
Salem, Salem District.

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to consider the petitioner's representation dated 26.02.2014 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 Petitioner : Mr.V.Thirupathi

For RR 1,3 & 4 : Mr.R.Vijayakumar  
Additional Government Pleader

For RR 2 and 5 : Mr.N.Inbanathan, GA [Forests]

ORDER

Heard Mr.V.Thirupathi, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader accepting notice for the respondents 1, 3 and 4 ; and Mr.N.Inbanathan, learned Government Advocate [Forests] accepting notice for the respondents 2 and 5 and with their consent, the writ petition itself is disposed of at the admission stage itself.

2.It is to be noted that the prayer sought for in this writ petition was earlier dealt with by this Court in WP.Nos.35215 to 35234/2014 etc., and batch and the same were disposed of on 09.01.2015. The operative portion of the order in WP.Nos.35215 to 35234/2014 etc. and 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 CMA 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.In the light of the above, the writ petition is disposed of in the same line. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Secretary to Government  
State of Tamilnadu,  
Revenue Department, Fort St. George  
Chennai 600 009.

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

3.The District Collector  
Salem, Salem District.

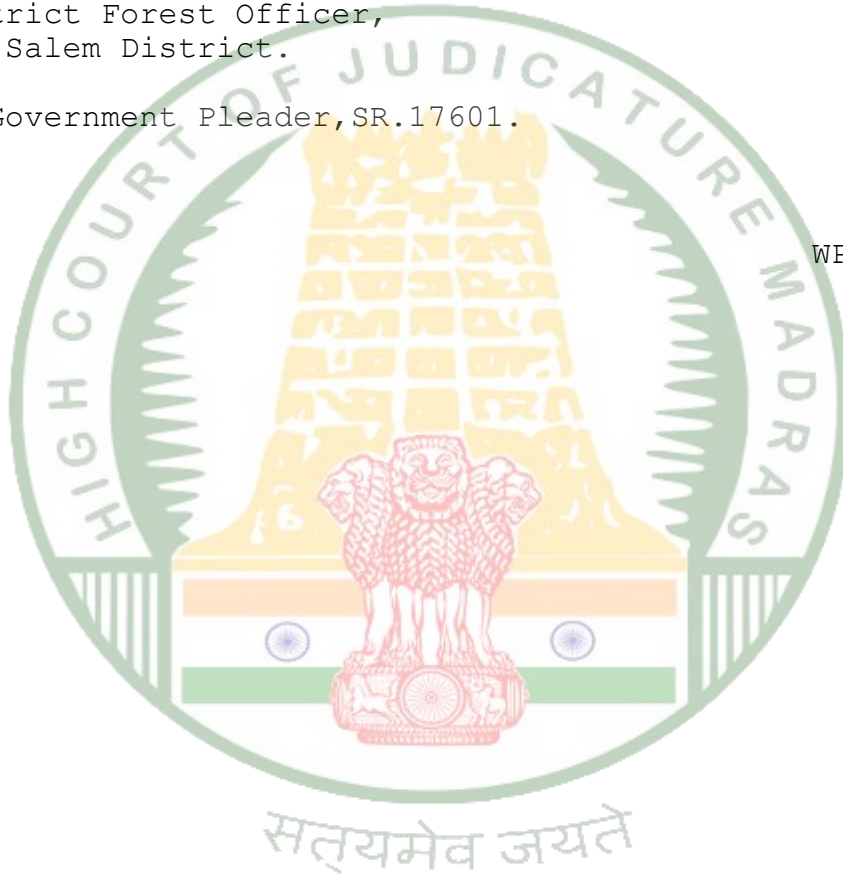
4.The Tahsildar  
Athur T.K. Salem District.

5.The District Forest Officer,  
Salem, Salem District.

+1 cc to Government Pleader,SR.17601.

gj(co)  
krd 7/4

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