



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.21185 of 2015

M.S.Murugan

... Petitioner

Vs.

1. The Principal Chief Conservator of Forests,
Panagal Maligai, Chennai.
2. The Director of Vigilance & Anti Corruption,
NCB 21 to 28 P.S.Kumarasamy Raja Salai,
Raja Annamalaipuram,
Chennai 600 028.
3. The Assistant Conservator of Forests,
District Collectorate,
Virudhunagar.
4. Palaniraj,
The Assistant Conservator of Forests,
(Forest Extension Officer),
Pudukottai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to prevent public money from the construction work of check dams in Grizzled Giant Squirrel Sanctuary, Virudhunagar District and consequently directing the 2nd respondent to take immediate action against the erring officials and forest offenders under relevant provisions of law.

For Petitioner : Mr.Rm.Arun Swaminathan
For Respondents 1-3 : Mr.M.Govindan,
Special Government Pleader.

ORDER

(Order of the Court was made by V.RAMASUBRAMANIAN,J.)

The petitioner has come up with the above writ petition seeking the issue of a writ of mandamus directing the respondents not to spend public money for the construction of check dams in Grizzled Giant Squirrel Sanctuary, Virudhunagar District.



2. Heard Mr.RM.Arun Swaminathan, learned counsel for the petitioner. Mr.M.Govindan, learned Special Government Pleader takes notice for the respondents 1 to 3.

3. The petitioner earlier came up with a writ petition in W.P(MD)No.14071 of 2015 praying for the very same relief. But the writ petition was withdrawn by him on the basis of the proceedings dated 13.08.2015 issued by the Principal Chief Conservator of Forests. By the said proceedings, the Principal Chief Conservator of Forests had constituted a committee headed by the Additional Principal Chief Conservator of Forests. Therefore, we do not know how the present writ petition is filed.

4. According to the petitioner, no steps were taken after the constitution of the committee. But the purpose of constitution of the committee was for enquiring into certain irregularities in the construction. The prayer in the writ petition is not to spend public money on the construction of check dams. The petitioner does not state that there are no requirements for check dams at all. Merely because certain irregularities had taken place in the construction of check dams in the past, the very construction itself could not be stopped. Therefore, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Chief Conservator of Forests,
Panagal Maligai, Chennai.
2. The Director of Vigilance & Anti Corruption,
NCB 21 to 28 P.S.Kumarasamy Raja Salai,
Raja Annamalaipuram,
Chennai 600 028.
3. The Assistant Conservator of Forests,
District Collectorate,
Virudhunagar.

+ 1 CC TO MR.C.ARUN SWAMINATHAN, ADVOCATE IN SR NO. 68045
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 68168

SMS

<https://hcservices.courts.gov.in/hcservices> TE/SKS/BB/09/12/2015 : 2P/6C

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