

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.1096 of 2000

Rev.Fr.Ambrose,
Procurator,
Sacred Heart College,
Shenbaganur-624 104.

.. Petitioner

-vs-

1.State of Tamil Nadu,
rep. by Secretary,
Environment and Forest Department,
Fort St. George,
Chennai-9.

2.District Forest Officer,
Kodaikanal.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Declaration declaring the Notification of the Respondent under Section 2(a) of the Tamil Nadu Essential Articles Control and Requisitioning Act, 1949 declaring Timber is an Essential Article in their notification I appended to G.O.Ms.No.1455 dated 2.11.1982 and as amended by G.O.Ms.No.1145 dated 22.9.1983 is beyond the scope of entry 33 list III of VII Schedule of the Constitution and the provisions of Sections 2 and 3 of Tamil Nadu Act 29 of 1949 are without any statutory force and defunct due to repeal of the same by Section 16 of the Essential Commodities Act, 1955 violative of Article 14, 19(1)(g) and 254 of the Constitution of India in so far as the petitioner is concerned.

For Petitioner : Mr.M.Padmanabhan

For Respondents : Mr.M.Santhanaraman
Addl. G.P. (Forest) for R1 & R2

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The learned Additional Government Pleader (Forest) states that the writ petition has become infructuous, as the impugned G.O.Ms.No.1455, dated 02.11.1982 has been annulled by the subsequent G.O.Ms.No.43, dated 22.02.2003.

2. The aforesaid statement is taken on record and the writ petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
Environment and Forest Department,
Fort St. George,
Chennai-9.

2.The District Forest Officer,
Kodaikanal.

+1cc to Mr. S.James, Advocate sr.45238

+1cc to the Special Government Pleader sr.45066

W.P.No.1096 of 2000

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srg 24/08/2016

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