

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.25885 of 2011

K.Poovendan

.. Petitioner

vs.

1. The Conservator of Forest
Vellore Division, Vellore.
2. The District Forest Officer
Vellore District, Vellore.
3. The Forest Range Officer
Odungathur Range Officer
Vellore District.
4. The District Collector
Vellore District, Vellore.
5. The Village Administrative Officer
Mellarasmpattu Village
Vellore Taluk, Vellore District.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari to call for the records of the third respondent herein in his proceedings Na.Ka.No.229/2011, dated 01.11.2011 served upon the petitioner on 03.11.2011 and quash the same.

For Petitioner

: Mr.V.R.Karthekeyan

For Respondents

: Mr.M.Santhanaraman
Spl. Govt. Pleader (Forests)
for respondents 1 to 3

Mr.R.Vijayakumar
Addl. Government Pleader
for respondents 4 and 5

ORDER

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

The petitioner seeks to assail the proceedings of the Forest Range Officer/third respondent dated 1.11.2011 in respect of the property claimed by the petitioner.

2. In pursuance of the directions of this Court dated 30.9.2015, the petitioner had made available certain documents, but as explained by the learned Special Government Pleader (Forests), the difficulty in the way of the petitioner is that the petitioner does not want to take an alternative site for rehabilitation, but wants to in turn give alternative land to the Forest Department, for which the forest area in occupation of the petitioner will have to be de-notified. It is submitted that this would require the application of the petitioner already made to be forwarded to the Principal Chief Conservator of Forests, Tamil Nadu and a decision to be taken by that authority after obtaining orders from the Ministry of Environment and Forests, Government of India. It is stated that this would require about six months of time.

3. We are, thus, of the view that the aforesaid course may be adopted and till the final decision is taken on this behalf, no action be taken against the petitioner.

The petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2011 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Conservator of Forest
Vellore Division, Vellore.

2. The District Forest Officer
Vellore District, Vellore.

3. The Forest Range Officer
Odungathur Range Officer
Vellore District.

4. The District Collector
Vellore District, Vellore.

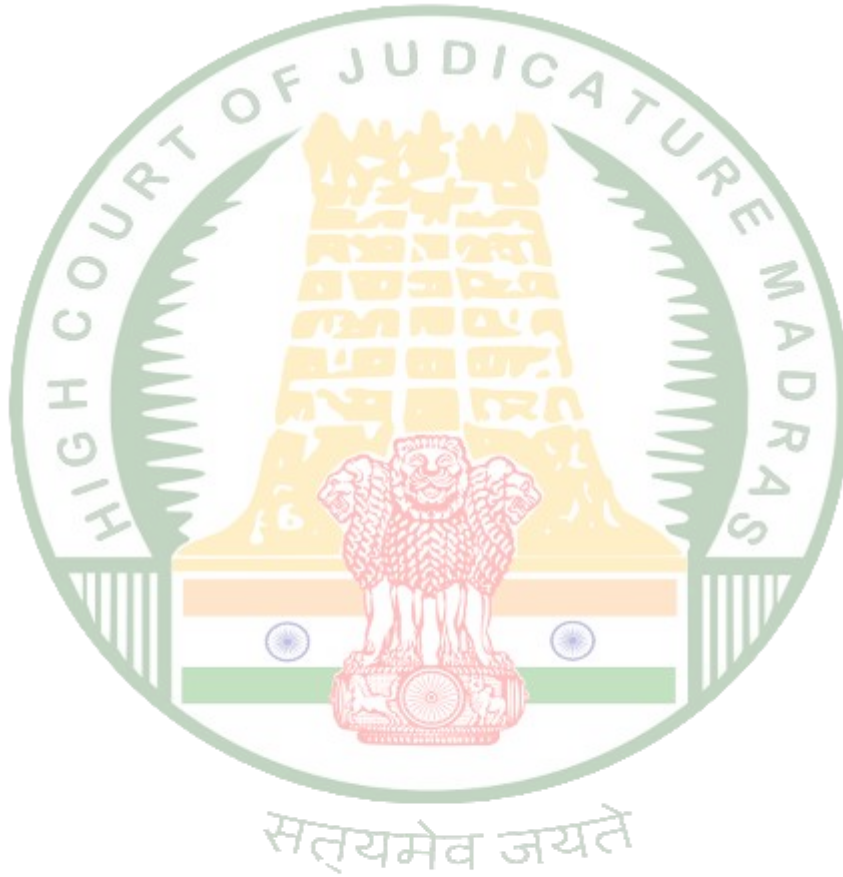
5. The Village Administrative Officer
Mellaraspattu Village
Vellore Taluk, Vellore District.

+1 cc to Govt Pleader, sr.70240

+1 cc to Mr.V.R.karthikeyan, advocate, sr.69984.

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W.P.No.25885 of 2011



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