

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2016

CORAM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.6947 of 2016

S.Govindarajan

... Petitioner

Versus

The District Collector & Chairman
The District Forest Committee
Salem.

... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondent Committee to consider and pass orders on petitioner's application dated 31.01.2015 submitted to the respondent committee to cut and remove 846 Silver Oak Trees from the petitioner's patta land, coffee plantations comprised in S.Nos.25/2C, 26/2A, 25/1B, 2A, 25/2B, 26/1A, 26/2B, 28/1A, 18/1B, 30/2A, 30/1B, 25/1B2B, 26/1C, 30/1A, 25/1B2C2A, 26/1B of Kommakadu Village, Yercaud Taluk, Salem District pursuant to the order of the respondent / committee passed in D.Dis.No.15859/2014/P1 dated 24.09.2014.

For Petitioner : Mr.S.Kadarkarai

For Respondent : Mr.N.Inbanathan,
Government Advocate [Forests]

ORDER

Heard the learned counsel for the petitioner ; Mr.N.Inbanathan, learned Government Advocate [Forests] appearing on behalf of the respondent and with their consent, the writ petition is taken up for final disposal.

2. In this writ petition, the petitioner seeks for a direction to grant extension of time on the petitioner's application dated 31.01.2015 submitted to the respondent / Committee to remove 846 Silver Oak Trees from the petitioner's patta lands/coffee plantations, pursuant to the orders passed by the Committee dated 24.09.2014.

3. The Committee, by proceedings dated 24.09.2014, granted permission to cut and remove 846 silviculturally matured silver oak trees within a period of five months. The petitioner requested for extension of time on the ground that the area has not been prepared for the purpose of felling those trees. In this regard, an application dated 31.01.2015 has been submitted to the respondent / Committee for grant of extension of time.

4. In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the respondent / Committee to take a decision in accordance with law and relevant statutes on the petitioner's application dated 31.01.2015 for extension of time, within a period of twelve weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

AP

To

The District Collector & Chairman
The District Forest Committee
Salem.

+1cc to Mr.S.Kadarkarai, Advocate, S.R.No.12749
+1cc to the Special Government Pleader(Forest), S.R.No.12609

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SV(CO)
CA(10/03/2016)

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