



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE B.GOKULDAS

W.P. (MD) No.13830 of 2016

Seetharaman

: Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Tahsildar,
Vilathikulam,
Thoothukudi District.

3.The Block Development Officer,
Panchayat Union Office,
Vilathikulam,
Thoothukudi District.

4.M/s.Nagajothi,
Panchayat President,
Vellaiyammalpuram Village,
Vilathikulam Taluk,
Thoothukudi District.

5.Sankarasubbu

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 to cancel the auction in favour of the fifth respondent for cutting the Karuvella Trees in Survey Nos.22,23 and 24 situated at Velliyammalpuram Village, Vilathikulam Taluk, Thoothukudi District, by considering the petitioner's representation dated 06.05.2016.

For Petitioner	: Mr.J.Selvam for Mr.S.Ramasamy
For Respondents 1&2	: Mr.M.Alagathevan, Special Government Pleader
For Respondent No.3	: Mr.A.Muthukaruppan, Additional Government Pleader

**ORDER**

[Order of the Court was made by K.K.SASIDHARAN, J.]

Even according to the petitioner, the authorities conducted auction and privilege was given to the fifth respondent. There is no question of cancelling the auction after conducting auction and granting privilege to cut and remove the Karuvella Trees to the fifth respondent. We, therefore, do not find any reason to issue a Mandamus as prayed for by the petitioner.

2. In the upshot, we dismiss the Writ Petition. No costs. However, we make it clear that the dismissal of the Writ Petition would not stand in the way of the petitioner from challenging the privilege granted to the fifth respondent, if he is so advised.

Sd/
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Thoothukudi District.

2.The Tahsildar,
Vilathikulam,
Thoothukudi District.

3.The Block Development Officer,
Panchayat Union Office,
Vilathikulam,
Thoothukudi District.

+1 cc to MR.S.RAMASAMY, Advocate Sr.No.41641

+1 cc to Special Government Pleader Sr.No.42172

SMA/KP/12/08/2016 :2P/6C

Order made in
W.P. (MD) No.13830 of 2016
Dated: 03.08.2016