



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

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WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.16354 of 2016

T.Dallus

... Petitioner

Vs.

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- 1.The Chairman,
Arasu Rubber Corporation,
Chennai - 600009.
- 2.The Managing Director,
Arasu Rubber Corporation,
Nagercoil,
Kanyakumari District.
- 3.The General Manager,
Arasu Rubber Corporation,
Nagercoil,
Kanyakumari District.
- 4.Divisional Manager,
Arasu Rubber Corporation,
Manalodai Division,
Kanyakumari District
- 5 The District Forest Officer
Kanyakumari Division at
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the 2nd Respondent to permit the Petitioner to cut and remove of 1285 slaughter rubber trees girth 35 inches allotted to the Petitioner as per the auction in coupe No.23 Bit No.1 of Manalodai Unit on the basis of the Petitioner's representation, dated 11.08.2016 forthwith.

For Petitioner : Mr.N.S.Rama Krishnadass

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader



O R D E R

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal. No counter-affidavit is filed on behalf of the Respondents.

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2. The Petitioner has filed the present Writ Petition, seeking for passing of an order by this Court, in directing the Second Respondent/Managing Director, Arasu Rubber Corporation, Nagercoil, Kanyakumari District, to permit him to cut and remove 1285 slaughter rubber trees girth 35 inches allotted to the Petitioner as per the auction in coupe No.23 Bit No.1 of Manalodai Unit on the basis of his representation, dated 11.08.2016.

3. It comes to be known that the agreement, dated 03.07.2015 had expired. Ordinarily, to seek a Writ of Mandamus, the Petitioner, in Law, should have a *locus standi* and also must possess a judicially enforceable legal right in the eye of Law.

4. Considering the fact the Petitioner's original agreement, dated 03.07.2015, had expired and since the Petitioner has submitted a representation, dated 11.08.2016 before the Second Respondent and the same is pending in the subject matter in issue, at this stage, this Court without traversing upon the merits and contents of the representation of the Petitioner, dated 11.08.2016, *ipso facto*, directs the Second Respondent to dispose of the representation of the Petitioner, dated 11.08.2016, within a period of four weeks from the date of receipt of a copy of this order, by passing a speaking order (Of course after adhering to the Principles of Natural Justice by issuing notice to the Petitioner and others concerned if any, if situation so warrants). Needless for this Court to make a significant mention that the Petitioner is to render his assistance and unstinted co-operation to the Second Respondent, so as to enable the latter to do needful in his favour in the subject matter in issue, within the time afore stated.

With the above said Direction(s)/Observation(s), this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(Writ)

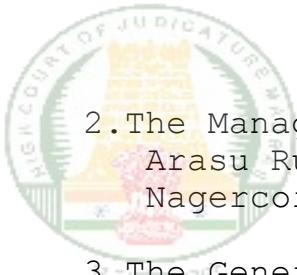
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Sub Assistant Registrar

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To

1. The Chairman,
Arasu Rubber Corporation,
Chennai - 600009.



2.The Managing Director,
Arasu Rubber Corporation,
Nagercoil, Kanyakumari District.

3.The General Manager,
Arasu Rubber Corporation,
Nagercoil, Kanyakumari District.

4.Divisional Manager,
Arasu Rubber Corporation,
Manalodai Division,
Kanyakumari District

5 The District Forest Officer
Kanyakumari Division at
Nagercoil,
Kanyakumari District.

+1 cc to Mr.N.S.RAMA KRISHANA DASS,Advocate, Sr.No: 48689

+1cc to M/S Special Government Pleader, Sr No. 49368

JAM/SKS-RR/28.09.16/3P-8C

W.P (MD) No.16354 of 2016
31.08.2016