

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM :

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

W.P. No.11019 of 2017

R. Suriya Vikas

...Petitioner

Vs.

1. The Collector of Nilgiris and Chairman,
The District Tree Cutting Committee,
Collector's Office,
Uthagamandalam,
The Nilgiris.
2. The District Forest Officer,
Nilgiris Forest Division (North),
Uthagamandalam,
The Nilgiris.
3. The Forest Ranger,
Kotagiri Forest Range,
Kotagiri,
The Nilgiris.

..Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the 1st and 2nd respondents to issue necessary permission to the petitioner for cutting and removing 497 Silver Oak Trees standing in the petitioner's Tea Plantation Land comprised in Survey No. 247/1 of Jakkanarai Village, Kotagiri Taluk, The Nilgiris.

For Petitioner : Mr. L. Mouli

For Respondents: Mr. A.N. Thambidurai

Special Government

Pleader - R1

Inbanathan,

Mr. N.

Government Advocate (Forest)

- R2 & R3

O R D E R

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents 1 & 2 to issue necessary permission to the petitioner for cutting and

removing 497 Silver Oak Trees standing in the petitioner's Tea Plantation Land comprised in Survey No. 247/1 of Jakkanarai Village, Kotagiri Taluk, The Nilgiris.

2.The learned counsel appearing for the petitioner submitted that the petitioner has given his application dated 26.06.2015 to the respondents 1 & 2, however, the respondents have not passed any orders so far.

3.Mr.A.N.Thambidurai, learned Special Government Pleader taking notice for 1st respondent and Mr.N.Inbanathan, learned Government Advocate (Forest) taking notice for respondents 2 & 3 submitted that the respondents may be directed to consider the petitioner's application and pass orders in accordance with law.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the respondents 1 & 2 to consider the petitioner's application dated 26.06.2015 and pass orders on merits and in accordance with law within six weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

To

1. The Collector of Nilgiris and Chairman,
The District Tree Cutting Committee,
Collector's Office,
Uthagamandalam, The Nilgiris.
2. The District Forest Officer,
Nilgiris Forest Division (North),
Uthagamandalam, The Nilgiris.
3. The Forest Ranger,
Kotagiri Forest Range,
Kotagiri, The Nilgiris.

+1 cc to Mr.L.Mouli,advocate,sr.36472
+1 cc to Spl.Govt.Pleader,sr.26368

ev(co)
krd 5/5