

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.26762 of 2017
and
W.M.P.Nos.23500 and 23501 of 2017

D.Stalin

... Petitioner

Vs.

1. The State of Tamil Nadu rep.
by its Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 1.
2. The State of Tamil Nadu rep.
by its Secretary to Government,
Environment and Forest Department,
fort St.George,
Chennai-1.
3. The Conservator of Forest,
Villupuram Circle,
Villupuram.
4. The District Collector,
Cuddalore District,
Cuddalore.
5. The District Forest Officer,
Cuddalore District,
Cuddalore.
6. The Sub-Collector,
Cuddalore District,
Cuddalore.
7. The Revenue Divisional Officer,
Chidambaram Division,
Cuddalore.

8. The Project Director,
National Highways,
No.54, Natarajapuram North Colony,
Medical College Road,
Thanjavur.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records in Na.Ka.A5/300/2017 dated 11.04.2017 of the 7th respondent and the consequential order in Na.Ka.Aa.7/508/2017 dated 04.07.2017 of the 6th respondent and to quash the same with consequential direction to the respondents to fix a fair prized yield assessment with the concurrence of 3rd respondent and to conduct a public auction in transparent manner.

For Petitioner: Ms.K.Jenitha

For Respondents: Mr.P.V.Selvakumar,
Additional Government Pleader
for R1, R4, R6 and R7.
Mr.E.Manoharan,
Additional Government Pleader
for R2, R3 & R5
Ms.Sumathi, Standing Counsel for R8.

O R D E R

Mr.P.V.Selvakumar, learned Additional Pleader takes notice for 1st, 4th, 6th and 7th respondents, Mr.E.Manoharan, learned Additional Government Pleader takes notice for 2nd 3rd and 5th respondents and Ms.Sumathi, learned Standing Counsel takes notice for 8th respondent.

2. The petitioner is aggrieved against the proceedings of the 7th respondent dated 11.04.2017 and the consequential order of the 6th respondent dated 04.07.2017.

3. Heard both sides and by consent, the main writ petition is taken up for final disposal.

4. The only grievance of the petitioner is that the trees which are sought to be removed for the purpose of extension of National Highways, and sold to be in public auction is to be done only after getting the valuation of those trees from Forest Department. By contending so, the petitioner claims that it would fetch more money to the Government exchequer and therefore, without getting such valuation from the Forest Department, the public auction should not be conducted.

5. Learned counsels appearing for the Forest Department as well as the other official respondents fairly submitted that before proceeding with the public auction, the valuation of the trees, to be removed and put in public auction, will be obtained from the Forest Department and therefore, the petitioner need not have any grievance. Accordingly, this writ petition is disposed of by directing the respondents to proceed with the public auction of the trees so removed only after getting the valuation of those trees from the Forest Department by indicating the same in the respective notification.

6. With the above observation, the writ petition is disposed of accordingly. No costs. consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

vsi

To

1. The Secretary to Government,
Revenue Department, Fort St.George,
Chennai - 1.
2. The Secretary to Government,
Environment and Forest Department,
Fort St.George, Chennai-1.
3. The Conservator of Forest,
Villupuram Circle,
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Cuddalore.
6. The Sub-Collector,
Cuddalore District,
Cuddalore.

7. The Revenue Divisional Officer,
Chidambaram Division,
Cuddalore.

8. The Project Director,
National Highways,
No.54, Natarajapuram North Colony,
Medical College Road,
Thanjavur.

+1cc to K.Jenitha, Advocate sr.73435

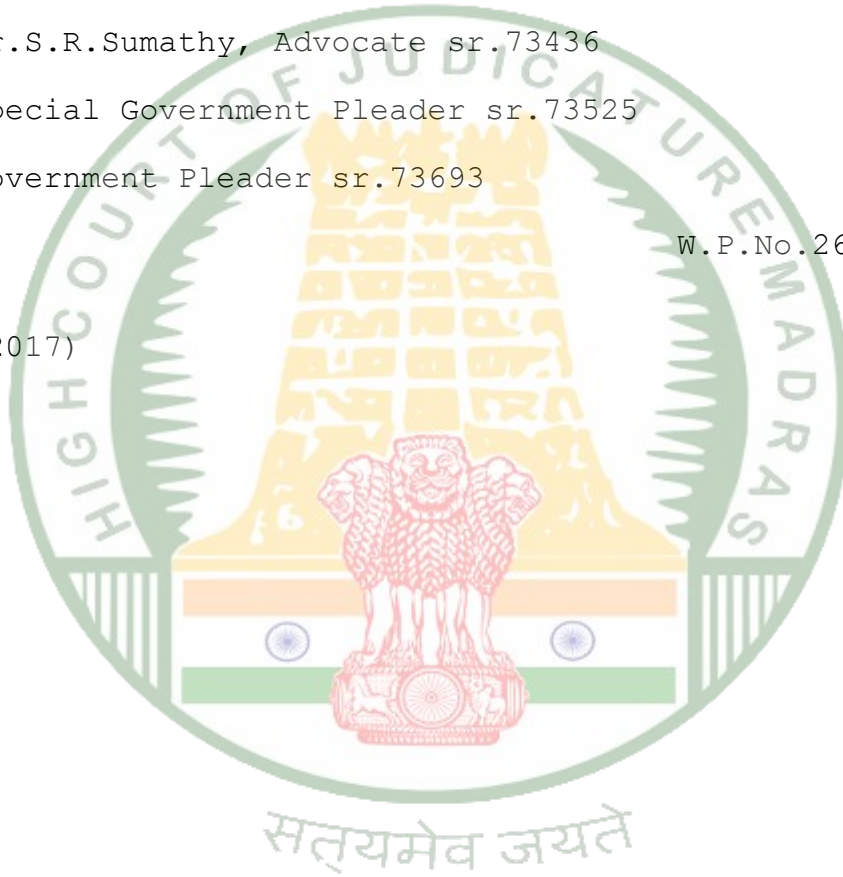
+1cc to Mr.S.R.Sumathy, Advocate sr.73436

+1cc to Special Government Pleader sr.73525

+1cc to Government Pleader sr.73693

W.P.No.26762 of 2017

mn(co)
ss(13/10/2017)



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