

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 18831 of 2017

V.S. Gunaseelan

.. Petitioner

Vs

Forest Range Officer,  
Pollachi Forest Range,  
Aanamalai Tiger Reserve Forest,  
Pollachi Taluk, Coimbatore District

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to conduct a thorough investigation in respect of seizure of property in connection with W.L.O.R.No.3/2014 on 01.07.2014 (on the file of respondent).

For Petitioner : Mr.D. Rajagopal

For Respondent : Mr.D. Vairamoorthy,  
Special Government Pleader

O R D E R

The petition has been filed by the petitioner to issue a writ of Mandamus directing the respondent to conduct a thorough investigation in respect of seizure of property in connection with W.L.O.R.No.3/2014 dated 01.07.2014, on the file of respondent.

2. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal.

3. As the petitioner was in possession of various animal products and articles, he was prosecuted under Section 51 (1) of Wild Life Protection Act, 1972.

4. The learned counsel for the petitioner has submitted that his possession of certain wild life products and articles was backed with valid certificate of possession issued by the Principal Chief Conservator of Forest and therefore, the action taken against the petitioner under Section 51 (1) by the said Act is illegal. Hence, the petitioner had earlier filed petition

in Crl.O.P.No.5118 of 2015 challenging the said action, which came before this Court and the said Crl.O.P. was disposed of on 05.12.2016, whereby the respondent was directed to conduct through investigation and in case it is found that the petitioner had valid certificate of possession, he would be entitled to the same by inheritance.

5. It is the case of the petitioner that subsequent to the said order passed on 05.12.016, no enquiry has been conducted on the same, till date. The petitioner had also sent reminders to the respondent herein calling upon him to conduct an enquiry in obedience to the order of this Court, dated 05.12.2016. It is the case of the petitioner, that the respondent has not acted upon it. This writ petition is filed only for a direction to conduct investigation in consonance with the earlier order of this Court dated 05.12.016.

6. Accordingly, there shall be a direction to the respondent herein to conduct an investigation in the light of the order passed by this Court in Crl.O.P.No.5118 of 2015 dated 05.12.016 and conclude the same as expeditiously as possible and in any event, the investigation shall not extend beyond a period of four weeks from the date of receipt of a copy of this order.

7. With the above observations and directions, the writ petition stands disposed of. No costs.

Sd/-  
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

pvs / nl

To

Forest Range Officer,  
Pollachi Forest Range,  
Aanamalai Tiger Reserve Forest,  
Pollachi Taluk, Coimbatore District.

+1cc to M/s.D.Rajagopal, Advocate in sr.no.52211

W.P.No. 18831 of 2017

CNR(CO)  
NR 31/07/2017