

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.03.2017
CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 44700 of 2016

V.Loganathan

.. Petitioner

..Vs..

- 1.The State of Tamil Nadu
Rep by its Secretary to Government
Environment & Forest Department,
Fort St.George,
Chennai - 600 009.
 - 2.The District Collector & Chairman,
District Forest Committee,
Coimbatore District,
Coimbatore - 18.
 - 3.The Secretary cum Personal Assistant (General)
to the District Collector,
District Forest Committee,
Coimbatore District,
Coimbatore - 18.
- .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's application dated 06.09.2016 u/s.Section 4-A(1) of the Tamil Nadu Preservation of Private Forests Act, 1949 inserted by its Amendment Act,2011 seeking the sanction for my purchase of a portion of Private Forest without the prior permission of the District Forest Committee, situated at S.F.No.1/3A to an extent of 47.50 acres, Anaimalai Hills, Valparai Taluk, Coimbatore District, within a stipulated time period as fixed by this Court.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For R1 to R3 : Mr.N.Inbanathan, GA (Forest)

O R D E R

The petitioner, in this writ petition, seeks for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's application dated 06.09.2016 under Section 4-A(1) of the Tamil Nadu Preservation of Private Forests

Act, 1949, inserted by its Amendment Act, 2011, seeking the sanction for his purchase of a portion of Private Forest without the prior permission of the District Forest Committee, situated at S.F.No.1/3A to an extent of 47.50 acres, Anaimalai Hills, Valparai Taluk, Coimbatore District.

2. The learned counsel for the petitioner has submitted that it would suffice if the second respondent is directed to consider the said application, dated 06.09.2016 on merits and in accordance with law within a period that may be stipulated by this Court.

3. The learned Government Advocate appearing for the respondents, would submit that the said application is pending and the same will be disposed of in accordance with law.

4. By considering the facts and circumstances, without expressing any view on the merits of the case and taking into consideration the limited scope of the prayer sought for in this Writ Petition, this Writ Petition is disposed of, directing the second respondent to consider the petitioner's representation/application dated 06.09.2016 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner shall approach the second respondent along with a copy of this order. No costs.

-sd-

Assistant Registrar

//True copy//

Sub Assistant Registrar

nvi

To

1.The Secretary to Government
Environment & Forest Department,
Fort St.George,
Chennai - 600 009.

2.The District Collector & Chairman,
District Forest Committee,
Coimbatore District,
Coimbatore - 18.

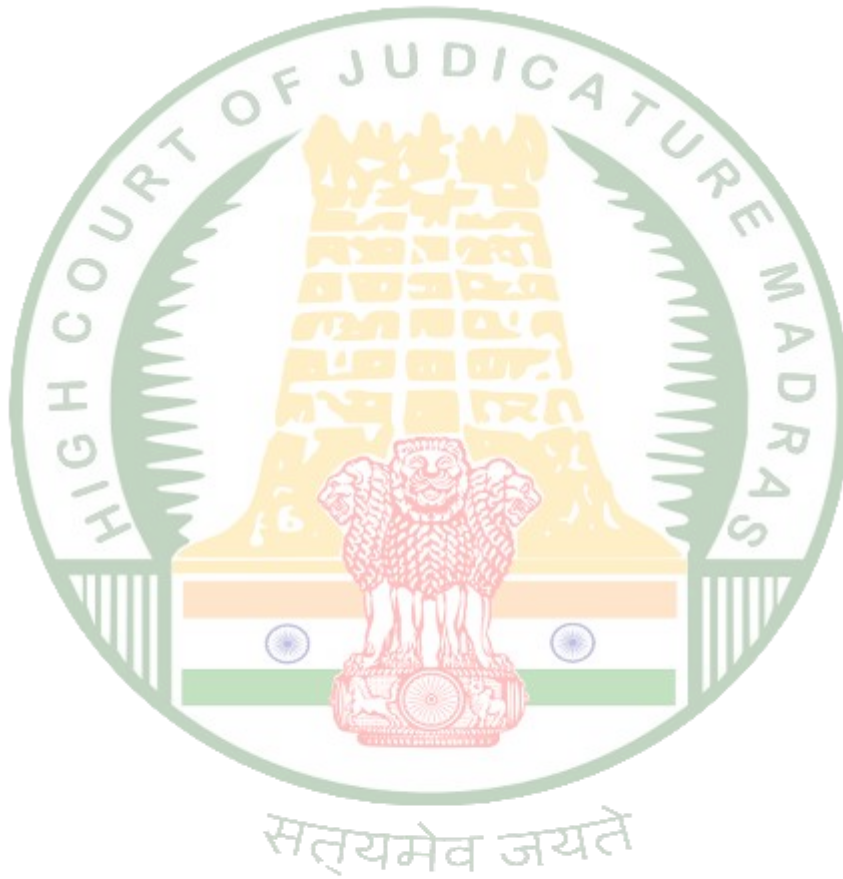
3.The Secretary cum Personal Assistant (General)
to the District Collector,
District Forest Committee,
Coimbatore District, Coimbatore - 18.

+1C.C. to The Special Government Pleader, (Forest) SR.NO.19447

+2 C.C. to Mr.A.Suresh Sakthi Murugan Advocate SR.NO..19610

W.P. No. 44700 of 2016

SKV (CO)
VS 19.04.2017



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