



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A. [MD] .No.807 of 2017

in

W.P. (MD) .No.1282 of 2009

V.M.Lakshmipathy : Appellant/Petitioner
Vs.

1. The Deputy Principal Chief Conservator of Forests,
Tamil Nadu State Forest Plantation Corporation,
Panagal Building, Saidapet, Chennai - 600 015.
2. The District Forest Officer,
Tanjore Division, Tanjore.
3. The Assistant Conservator of Forests,
Special Task Force,
Tamil Nadu Plantation Corporation,
Kudamurutti Palam, Trichy. : Respondents/Respondents

PRAYER: Writ Appeals are filed under Clause 15 of the Letters Patent against the order of this Court dated 06.01.2017 passed in W.P. (MD) No.1282 of 2009.

Prayer in WP(MD). 1282/ 2009 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Declaration, declaring the seizure of teak wood poles by the third respondent in connection with forest offence in S.T.O.R.No.2/2007 Pa3 dated 15.2.2007 as illegal and consequently direct the 2nd respondent to release the Teak Wood Poles Nos.189 to the petitioner s custody within the time.

For Appellant : Mr.S.Muthalraj
For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.Muthalraj, the learned counsel appearing for the appellant. Mr.V.R.Shanmuganathan, learned Special Government Pleader accepting notice for the respondents.



2.By consent of both sides, this writ appeal itself is taken up for final disposal.

3.The appellant is aggrieved by the dismissal of the writ petition filed by him for declaration declaring the seizure of teak wood poles by the third respondent in connection with the forest offence in S.T.O.R.No.2/2007 Pa3, dated 15.02.2007 as illegal. The writ court after elaborately hearing the parties, took note of the fact that the appellant was granted opportunity and the Teak Wood Poles have been confiscated to the Government by virtue of the order, dated 10.12.2008. If the appellant is aggrieved by the confiscation proceedings, he has to file an appeal as against the confiscation proceedings because the confiscation is an appealable order. Thus, we find no ground to interfere with the order passed by the Writ Court. Accordingly, the Writ appeal is fails and dismissed. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Principal Chief Conservator of Forests,
Tamil Nadu State Forest Plantation Corporation,
Panagal Building, Saidapet, Chennai - 600 015.
2. The District Forest Officer,
Tanjore Division, Tanjore.
3. The Assistant Conservator of Forests,
Special Task Force,
Tamil Nadu Plantation Corporation,
Kudamurutti Palam, Trichy.

+1cc to Mr.S.Muthalraj, Advocate Sr.No.62205
+1cc to Spl.Government Pleader Sr.No.62837

AM/LS

VB/MR/KKR/SAR3/10.07.2017/2P/6C

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