



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Wednesday, the Twenty Second day of March Two Thousand Seventeen  
PRESENT

The Hon`ble Mr.Justice **A.SELVAM**

AND

The Hon`ble Mr.Justice **N.AUTHINATHAN**

WMP(MD) No.3799 of 2017

IN

WP(MD) No.3657 of 2017

M.THIRUPATHI

... Petitioner

Versus

- 1.THE PRINCIPAL CHIEF CONSERVATOR OFFICER,  
DEPARTMENT OF FOREST,  
PANAGAL MALIGAI, SAIDAPET, CHENNAI 600 015
  - 2.THE DISTRICT FOREST OFFICER,  
RAMANATHAPURAM DISTRICT, RAMANATHAPURAM.
  - 3.THE SUPERINTENDT ENGINEER,  
PUBLIC WORKS DEPARTMENT, RAMANATHAPURAM
  - 4.SINGADURAI,  
S/O.PANDI, N.MANAKUDI,  
ATTANKUDI POST,PARAMAKUDI TALUK,  
RAMANATHAPURAM DISTRICT.
- ... RESPONDENTS

**Prayer in WMP(MD) . 3799/ 2017 :**

This petition is filed under Article 226 of the Constitution of India,praying this Court to appoint an Advocate Commissioner to inspect the Nattu Karuvelam trees standing in the 2005 - Vennathur Tank, situated at Ramanathapuram Taluk and District and to file a Inspection Report.

**Prayer in W.P. (MD)No.3657/17.**

This Petition filed under Article 226 of the Constitution of India praying this court to issue Writ of Certiorarified Mandamus to call for the impugned work order passed under Na.Ka.471/2017/ka dated 16.02.2017,on the file of the 2<sup>nd</sup> respondent herein and to quash the same as illegal and undervalued and direct the 2<sup>nd</sup> respondent to auction the 'Nattu-Karuvelam Trees' laying in 2005.Vennathur Tank,Ramanathapuram District coming under the ambit of the 2<sup>nd</sup> respondent herein by following due process of law.

**ORDER :** This petition coming on for hearing on this day, upon perusing the petition and affidavit and material papers of this petition and upon hearing the arguments of M/S.K.R.LAXMAN, Advocate for the petitioner and Mr.M.Govindan, Special Government Pleader on behalf of the respondents 1 to 3 and the fourth respondent not appeared either in person or by and advocate,this court made the following order:-



This petition has been filed praying to appoint an Advocate Commissioner for the reason mentioned therein.

WEB COPY

2.It is averred in the petition that in Vennathur Tank, Ramanathapuram Taluk and District, so many Nattukaruvelam trees are available and the second respondent has auctioned the same for lower price. Under the said circumstances, for noting down the existence of Nattukaruvelam trees, appointment of an Advocate Commissioner is very much essential and therefore the present petition has been filed for getting the relief sought therein.

3.Considering the averments made in the petition and also the purpose for which appointment of an Advocate Commissioner is sought, this Court is inclined to pass the following order.

4.In fine, this petition is allowed. Advocate Mr.S.Lakshmi Kanth, [Enrollment No.1089/2009], No.97, Law Chambers, High Court Buildings, Madurai, Cell No.93676 83848 is appointed as Commissioner and his fee is fixed at Rs.5,000/- [Rupees five thousand only] and the same should be paid directly by the petitioner. The Advocate Commissioner is directed to visit the place mentioned in the petition and find out the existence of Nattukaruvelam trees.

5.Commissioner Report and Plan by 17.04.2017.

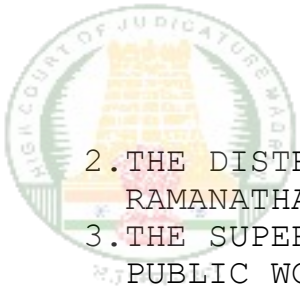
Sd/-  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

TO

1.THE PRINCIPAL CHIEF CONSERVATOR OFFICER,  
DEPARTMENT OF FOREST,  
PANAGAL MALIGAI, SAIDAPET, CHENNAI 600 015



2. THE DISTRICT FOREST OFFICER,  
RAMANATHAPURAM DISTRICT, RAMANATHAPURAM.
3. THE SUPERINTENDT ENGINEER,  
PUBLIC WORKS DEPARTMENT, RAMANATHAPURAM.

WEB COPY  
Copy to:

Mr.S.Lakshmi Kanth,  
Advocate, (Enrl No.1089/2009)  
No.97 Law Chambers,  
Madurai Bench of Madras High Court,  
Madurai-625 023.

+1 cc to Mr.K.R.LAXMAN, Advocate SR.No. 16974

Dated :22/03/2017

**ORDER**

WMP (MD) No.3799 of 2017  
IN  
WP (MD) No.3657 of 2017

Direction given as stated  
within.

JM/SKN/SAR 2/03.04.2017/2P/6C