

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 01.08.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

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W.P. (MD) No.14096 of 2017

and

W.M.P (MD) No.11031 of 2017

R.S.Dhanasekaran

... Petitioner

Vs.

1. The District Forest Officer,
O/o. The District Forest Officer,
Kodaikanal, Dindigul District.

2. The Forest Ranger,
Perumpallam Range,
Pannaikadu,
Oothu, Kodaikanal Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to permit the petitioner to transport the wooden logs of Jack (Pala) Trees stored in petitioner's property situated in S.No.585/1, Pannaikadu Village, Kodaikanal Taluk, Dindigul District, in view of the exemption granted in Tamil Nadu Timber Transit Rules, 1968.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.M.Alagathevan,
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking a Writ of Mandamus, directing the first respondent to permit him to transport the Wooden logs of Jack (Pala) Trees stored in his property, situated in S.No.585/1, Pannaikadu Village, Kodaikanal Taluk, Dindigul District.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. According to the learned counsel for the petitioner, the petitioner made a representation before the first respondent on 21.07.2017, so as to transport the trees, from his patta land, which were already cut down by him. As the same has been kept pending without any action, the petitioner is before this Court with the aforesaid prayer.



4. On the other hand, the learned Special Government Pleader appearing for the respondents submitted that the petitioner has cut down enormous trees, without any prior permission, which is stoutly refuted by the learned counsel for the petitioner.

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5. Under such circumstances, to give quietus, this Court, without going into the merits of the case, directs the first respondent to consider the representation of the petitioner dated 21.07.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the subject matter in dispute.

6. The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Co)

/True copy/

Sub Assistant Registrar

To

1. The District Forest Officer,
O/o. The District Forest Officer,
Kodaikanal, Dindigul District.

2. The Forest Ranger,
Perumpallam Range,
Pannaikadu,
Oothu, Kodaikanal Taluk,
Dindigul District.

+1 cc to Mr.T.Lajapathi Roy , Advocate in SR.No. 69946

+1 cc to The Special Government Pleader in SR.No.70177

gk

AE/JC/SAR1/10.08.2017/2P/5C

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