



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.16152 of 2017
and

W.M.P. (MD) Nos.12825 and 12826 of 2017

Pattatharasi

... Petitioner

Vs.

1. The Thasildar,
Kadavur Taluk,
Kadavur,
Karur District.

2.Nallusamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari calling the records relating to the proceedings of the 1st respondent made in Na.Ka.No.A1/3129/2017 dated 12.07.2017 and quashing the same as illegal.

For Petitioner : Mr.K.Govindarajan

For 1st Respondent : Mr.T.S.Md.Mohideen

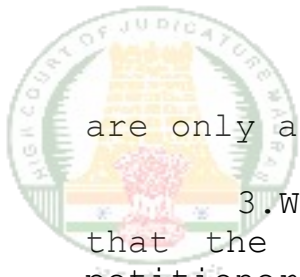
Additional Government Pleader

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner challenges the order dated 12.07.2017, issued by the first respondent herein. The first respondent by his communication has directed removal of the encroachments in Survey Nos.965 and 966. But a mere look at the communication would show that the encroachments to be removed are trees said to have been planted by the writ petitioner. We make it clear that trees shall not be cut or removed in the guise of clearing encroachment.

<https://hcservices.ecourts.gov.in/hcservices/>
The learned counsel for the writ petitioner makes it very clear that he shall not lay any claim over the said trees and they



are only a natural fencing for his property.

3. We therefore dispose of this writ petition by holding that the trees in question will not be removed, but the writ petitioner will not have any right over the same.

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4. The Writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To:

The Thasildar,
Kadavur Taluk,
Kadavur,
Karur District.

+ 1 cc TO Mr.K.Govindarajan , Advocate in SR No. 78263
+1cc to The Special Government Pleader in SR.No.78792

vsg/mm
AE/SV MMS/SAR2/07.11.2017/2P/4C

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