



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.2402 of 2017

Yasothai

... Petitioner

-vs-

1.The District Collector,
O/o.District Collector Office,
Colletorate,
Ramanathapuram.

2.The Revenue Divisional Officer,
R.D.O.Office,
Paramakudi Taluk,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

4.Naganathan

... Respondents

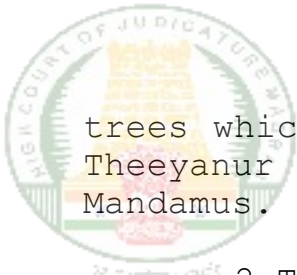
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents 1 to 3 to re-auction the privilege of uprooting seemai Karuvai trees in Sempattiyendal Kanmoi in S.F.No.306, Theeyanur Village, Paramakudi Taluk, Ramanathapuram District.

For Petitioner	: Mr.K.Baalasundharam
For RR - 1 to 3	: Mr.M.Govindan
	Special Government Pleader
For R - 4	: Mr.A.Kannan

O R D E R

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 3 to conduct fresh auction with regard to removal of Seemaikaruvel



trees which are in existence in S.F.No.306, Sempattiyendal Kanmai, Theeyanur Village, Paramakudi Taluk, by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that the Seemaikaruvel trees which are in existence in S.F.No.306 are worth of Rs.1,00,000/-. But the same has been auctioned in favour of the fourth respondent for a paltry sum of Rs.25,000/-. Under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

3.The learned Special Government Pleader appearing for the respondents 1 to 3 has befittingly pointed out that the Kanmai mentioned in the Writ Petition is situate in S.F.No.306 and adjacent to S.F.No.306, S.F.No.293 is situate and in respect of the same, a civil suit is pending, wherein also some Seemaikaruvel trees are in existence. Under the said circumstances, the relief sought in the Writ Petition cannot be granted.

4.It is seen from the records that the petitioner has given a representation, wherein also it has been clearly stated to the effect that in S.F.No.293, Seemaikaruvel trees are in existence.

5.Considering the fact that S.F.No.306 has been classified as a tank, the petitioner is not having any *locus standi* to question the same.

6.The main contention put forth on the side of the petitioner is that the Seemaikaruvel trees which are in existence in S.F.No.306 are auctioned for a low price of Rs.25,000/-. Considering the object of the petitioner and also considering the fact that even in the representation given by him, it is clearly stated that he is enjoying S.F.No.293, this Court is of the view that the relief sought in the petition cannot be granted.

7.In fine, this Writ Petition is dismissed without cost. Consequently, WMP(MD)No.2043 of 2017 is closed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
O/o.District Collector Office,
Colletorate, Ramanathapuram.

<https://hccpc.org.in/hccpc-services/>
2.The Regional Divisional Officer,
R.D.O.Office,
Paramakudi Taluk, Ramanathapuram District.



3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

+1 cc to M/s.A.Kannan, Advocate in SR.No. 10203
+1 cc to The Special Government Pleader in SR.No. 10482

mj
CSL/MR/03.03.2017 : 3P/6C

W.P(MD) No.2402 of 2017
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