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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2017

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THE HON'BLE MR.JUSTICE A.SELVAM
and
THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.2861 of 2017

S.Jothi

... Petitioner

-vs-

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Paramakudi Range,
Ramanathapuram District.

4.The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

5.D.Jeyakumar

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents herein to 1 and 2 permit the petitioner to cut out the Karuvelam trees in his property in Survey Numbers.276/1, 278/4 and 280/1, Patta Numbers.42 and 815, Pamboor Post, Paramakudi Taluk, Ramanathapuram District based on the petitioner's representation dated 23.01.2017.

For Petitioner : Mr.D.Anbarasu

For RR - 1 to 4 : Mr.M.Govindan
Special Government Pleader

**ORDER**

[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 and 2 to give necessary permission to cut and remove Seemaikaruvel trees from Survey Numbers.276/1, 278/4 and 280/1 (Patta Numbers.42 and 815) Pamboor 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 already the Block Development Officer, Paramakudi has given permission to cut and remove Seemaikaruvel trees from the lands mentioned in the petition. But the fifth respondent has made arrangements to restrain the petitioner. Under the said circumstances, the present Writ Petition has been filed.

3.It is seen from the records that the Block Development Officer, Paramakudi has already given necessary permission to the petitioner to cut and remove Seemaikaruvel trees from Survey Numbers.276/1, 278/4 and 280/1 (Patta Numbers.42 and 815).

4.Considering the fact that already necessary permission has been given by the concerned Block Development Officer, the relief sought in the petition is totally unwarranted.

5.The main contention put forth on the side of the petitioner is that the fifth respondent has made certain arrangements to restrain the petitioner from cutting Seemaikaruvel trees.

6.Considering the fact that the relief sought in the Writ Petition has already been granted, this Court is inclined to pass the following order:

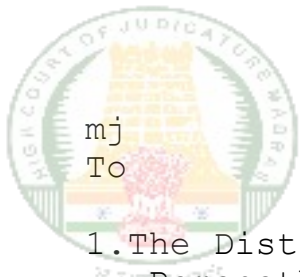
7.In fine, this Writ Petition is dismissed without cost. If the fifth respondent restrains the petitioner from cutting Seemaikaruvel trees, the petitioner is directed to take appropriate action.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar



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To

1.The District Collector, Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar, Paramakudi Taluk,
Ramanathapuram District.

3.The Deputy Superintendent of Police,
Paramakudi Range,
Ramanathapuram District.

4.The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

+1CC to Mr.D.Anbarasu, Advocate Sr.No.13520

+1CC to Mr.Sarvabhauman Associates, Sr.No.13628

GJM/RSK/SAR-3-14.3.17-3P-7C

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