



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.09.2017

CORAM:

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**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.[MD].No.16220 of 2016
and
W.M.P. (MD) No.11867 of 2016

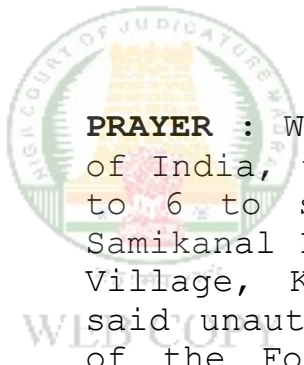
V.K.K.Arumugam

... Petitioner

Vs.

1. The Principal Secretary,
Department of Forest and Environment,
St. George Fort, Chennai-600 009.
2. The Principal Chief Conservator of Forests,
Government of Tamil Nadu,
Panagal Building, Saidepet,
Chennai-600015.
3. The District Collector,
Dindigul District, Dindigul.
4. The Consevator of Forests,
District Forest Office Campus,
Velunachiar Valagam,
Dindigul-624 004.
5. The Assistant Conservator of Forests,
Forest Protection Squad,
District Forest Office Campus,
Velunachiar Valagam,
Dindigul-624 004.
6. The District Forest Officer,
Kodaikanal,
Dindigul District.
- 7.Mr.Manikandan
- 8.Mr.M.Vellaichamy
- 9.Mr.K.Gopal
- 10.K.S.Arumugam

... Respondents



PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 6 to stop the illegal construction of Vinayagar Temple at Samikanal Reserved Forest (Kodaikanal Wildlife Sanctuary), Kookal Village, Kodaikanal, Dindigul District and to remove the above said unauthorized construction in accordance with the provisions of the Forest (Conservation) Act, 1980 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R1 to R6 : Mr.M.Govindan,
Special Government Pleader

O R D E R

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

The Writ petitioner seeks to stop the construction of Vinayagar Temple at Samikanal Reserved Forest (Kodaikanal Wildlife Sanctuary), Kookal Village, Kodaikanal, Dindigul District.

2.The District Forest Officer has filed a counter affidavit stating that as early as in the year 1896, a notification was issued permitting the villagers to use a 3 ft. wide pathway to worship the Karpaganadha Swamy Temple. Now the villagers were allowed to carry out the repair work of damaged temple building.

3.The learned counsel for the Writ petitioner would submit that there should not be any expansion in the said temple building and it should remain as what has been permitted by the authorities. The said stand of the Writ petitioner is reasonable. Since Kodaikanal Division has already granted permission vide proceeding in C.No.1868/2015/D1 dated 09.10.2015, no further order is necessary in this writ petition.

4.Accordingly this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Co)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
Department of Forest and Environment,
St. George Fort, Chennai-600 009.



2. The Principal Chief Conservator of Forests,
Government of Tamil Nadu,
Panagal Building, Saidepet,
Chennai-600015.

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3. The District Collector,
Dindigul District, Dindigul.

4. The Conservator of Forests,
District Forest Office Campus,
Velunachiar Valagam, Dindigul-624 004.

5. The Assistant Conservator of Forests,
Forest Protection Squad,
District Forest Office Campus,
Velunachiar Valagam, Dindigul-624 004.

6. The District Forest Officer,
Kodaikanal, Dindigul District.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 77762
+1cc to The Special Government Pleader in SR.No.78047

smi

AE/GT/SAR2/06.11.2017/3P/9C

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