



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.18989 of 2016

and

W.M.P(MD)No.13706 of 2016

S.Andithevar

.. Petitioner

Vs.

1.The Commissioner of Land Administration,
Chepauk, Chennai.

2.The Secretary,
Board of Revenue,
Chepauk, Chennai.

3.The District Collector,
O/o.The District Collector,
Tuticorin District.

4.The Sub-Collector,
O/o.The District Collector,
Turicorin District.

5.The Revenue Divisional Officer,
Srivaikundam Taluk, Tuticorin District.

6.The Block Development Officer,
Karungulam Block, Tuticorin District.

7.The Tahsildar,
Srivaikundam Taluk,
Turicorin District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records pertaining to the order passed by the seventh respondent in Na.Ka.A2/11081-2012, dated 09.09.2016, signed on 16.09.2016, and quash the same as illegal.

For Petitioner : Mr.A.Anandan

For Respondents : Mr.J.Gunaseelan Muthaiah,
Government Advocate.

**ORDER**

This writ petition has been filed seeking a writ of Certiorari to quash the order passed by the seventh respondent in Na.Ka.A2/ 11081-2012, dated 09.09.2016, vide which, the petitioner has been directed to pay the fine imposed on him, with regard to cutting of banyan tree, within a period of seven days.

2. According to the petitioner, when he was served as Panchayat President as Murappanadu Kovilpathu Village, during 2001-2006, a banyan tree was removed, as per the resolution of the village panchayat, for which, the fourth respondent, passed an order dated 08.11.2002, imposing fine to the tune of Rs.10,350/-, on the petitioner. Against which, he filed appeals before the second and third respondents and the same were also dismissed. Thereafter, the seventh respondent issued the impugned notice dated 09.09.2016, directing to pay the fine amount.

3. Heard both sides.

4. It is seen from the records that without challenging the order imposing fine amount, the subsequent communication sent by the seventh respondent alone has been challenged in this writ petition. At this juncture, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the writ petition, with liberty to challenge the original order imposing fine amount and he has also made an endorsement to that effect.

5. Giving liberty as above, this writ petition is dismissed as withdrawn. Consequently, the connected miscellaneous petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Land Administration,
Chepauk, Chennai.

2. The Secretary,
Board of Revenue,
Chepauk, Chennai.

3. The District Collector,
O/o. The District Collector,
Tuticorin District.

4. The Sub-Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
O/o. The District Collector,
Tuticorin District.



5.The Revenue Divisional Officer,
Srivaikundam Taluk, Tuticorin District.

6.The Block Development Officer,
Karungulam Block, Tuticorin District.

7.The Tahsildar,
Srivaikundam Taluk,
Tuticorin District.

+1cc to Mr.A.ANANDAN Advocate in SR. No.76814

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.77336

DAS/SMN

JS/KP/SAR.1/14.09.2017/3P-10C

ORDER MADE IN
W.P (MD) No.18989 of 2016
and
W.M.P (MD) No.13706 of 2016
05.09.2017