

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7140 of 2017

Mrs.M.Chellamal

... Petitioner

Vs.

1.The Principle Secretary to Government,
Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Chennai.

2.The District Collector,
Collectorate,
Villupuram District - 605 602.

3.Principal Chief Conservator of Forest,
Department of Forest,
Tamil Nadu Government,
Chennai.

4.The District Forest Officer,
Kallakurichi Division,
Kallakurichi, Villupuram District.

5.The Revenue Division Officer,
Kallakurichi,
Tamil Nadu.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to dispose of her representation dated 26.01.2017.

For Petitioner :M/s.Kamatchi.D

For Respondents:Mr.M.Santhanaraman

Additional Government Pleader
for R3 & R4.

Mr.R.S.Selvam for R1, R2 & R5.

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to dispose of the petitioner's representation dated 26.01.2017.

2.The grievances of the writ petitioner is that certain forest officials are committed certain irregularities and acting in a biased manner, so as to affect the rights of the writ petitioner and other persons in that locality.

3.It is contended that the forest officials are infringing the rights of the citizen in that particular area in contravention to the interests of the Schedule Tribes residing in that locality, which is the violation of law in force. In this regard, a complaint had been submitted to the Hon'ble Chief Minister Cell and the copy was marked to the other officials.

4.The learned counsel for the writ petitioner states that no action has been taken in respect of the complaint submitted by the writ petitioner. Thus, the writ petitioner is constrained to move the writ petition.

5.This court is of an opinion that in respect of specific complaints against the officials of the Forest Department, the complaint must be submitted before the Principal Chief Conservator of forests as well as the Secretary of Government, Forest Department and other competent authorities, if necessary. In the event of submitting any proper complaint before the 1st and 3rd respondents, the authorities competent are bound to consider the same and initiate action, if necessary, in accordance with law.

6.In this view of the matter, the writ petitioner is at liberty to submit a fresh representation, setting out all the facts, complaints and allegations in respect of the violations or any other irregularities, if any committed by the Forest officials, within a period of two weeks from the date of the receipt of the copy of this order. In the event of submitting any such complaint or application, the respondents 1 and 3 are directed to consider the same and pass orders on merits in accordance with law and if necessary, initiate appropriate action as the law requires.

7.With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

vv2/kak

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principle Secretary to Government,
Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Chennai.
- 2.The District Collector,
Collectorate,
Villupuram District - 605 602.
- 3.Principal Chief Conservator of Forest,
Department of Forest,
Tamil Nadu Government,
Chennai.
- 4.The District Forest Officer,
Kallakurichi Division,
Kallakurichi, Villupuram District.
- 5.The Revenue Division Officer,
Kallakurichi,
Tamil Nadu.

- + 1 cc to Mr. Government Pleader Sr.60904
+ 1 cc to MR. Special Government Pleader Sr.60782

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(CS-V)
EU(19/09/2018)