

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Writ Petition No.4163 of 2010
and MP.Nos.1 & 2 of 2010

- 1.Wyanad Timbers,
Rep. by its Managing Partner
Mr.John D' Couth
- 2.Western Traders,
Rep. by its Managing Partner,
Mr.John D' Couth
- Petitioners

Vs.

1. The Committee
constituted under Section 2A of the
Tamil Nadu Hill Areas
(Preservation of Trees) Act 1955,
Represented by its Chairman,
The Collector of Nilgiris,
Udhagamandalam.
- 2.Craigmore Plantations (India) P.Ltd.,
Kullakamby,
The Nilgiris - 643 218.
Rep. by its Managing Director
Mr.M.N.Bopanna
- ... Respondents

Writ petition have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus forbearing the first respondent from granting cutting permit to the 2nd respondent, for cutting shade trees situated in survey Nos.543/1 and 548/1 of Melur Village, until the cutting permit granted to the 2nd respondent on 14.06.2000 is executed.

For Petitioners : Mr.M.Jayaraman (died)

For R1 : Mr.J.Ramesh, AGP

For R2 : Mr.Sarvabhuman Associates

ORDER

When the matter was taken up for consideration, the learned counsel for the second respondent, on instructions, submitted that the petitioners have already filed a suit in O.S.No.16 of 2006 before the District Munsif Court, Coonoor for mandatory injunction as well as permanent injunction restraining the second respondent herein from cutting, felling and removal or otherwise disposal of 1799 silver oak trees standing in the suit schedule property, which suit was ultimately, dismissed and hence, nothing survives for adjudication in this writ petition.

2.Recording the same, this writ petition stands closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

drl

To

The Collector of Nilgiris,
Udhagamandalam.

+ 1 cc to M/s. Sarvabhauman Associates, Advocate Sr.37280
+ 1 cc to Mr.D. Lingappa, Advocate Sr.37383

W.P.No.4163 of 2010

(CCC)
EU(10/07/2018)

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