

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.22103 of 2012

&

M.P.No.1 of 2012

Sampangi Ramaiah

..Petitioner

Vs.

1.The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

2.The Revenue Inspector,
Bagalur, Hosur Taluk,
Krishnagiri District.

3.The Village Administrative Officer,
Palavanapally, Bagalur,
Krishnagiri District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 particularly, third respondent, the Village Administrative Officer to issue No Objection Certificate to cut the Nilgiri trees standing in petitioner property bearing Survey No.1/4B, Alayanatham Village, Venkatesapuram Post, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.T.Arulraj

For Respondents : Mr.K.S.Suresh

Government Advocate

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O R D E R

Heard Mr.T.Arulraj, learned counsel for the petitioner; Mr.K.S.Suresh, learned Government Advocate for the respondents and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition for issuance of Writ of Mandamus directing the third respondent to issue No Objection Certificate to cut the Nilgiri trees

standing in his property in Survey No.1/4B, Alayanatham Village, Krishnagiri District.

3. According to the petitioner, a land measuring an extent of 7.79 acres in Survey No.1/4B originally belonged to his father Yellappa @ Kariyellappa and he was in possession and enjoyment of the same and patta was also issued in favour of his father. The petitioner would claim that after his demise, the property was inherited by the petitioner, his mother-Muni Chikkamma and his brothers Lakshmappa and Narayanappa and now they are in possession of the property.

4. The grievance of the petitioner is that the third respondent has failed to issue no objection certificate to cut Nilgiri trees standing in the patta land of the petitioner, despite his application dated 30.03.2012.

5. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the third respondent to consider and pass orders on the application/representation of the petitioner dated 30.03.2012.

6. The learned Government Advocate for the respondents would state that the third respondent is ready to pass orders on the application of the petitioner, if it was not already considered by him.

7. In the light of the above submissions and the nature of prayer sought for in the Writ Petition, this Court, without going into the merits of the case, directs the third respondent to consider the application / representation of the petitioner dated 30.03.2012 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

r n s

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

To

1.The Tahsildar,
Hosur Taluk, Hosur,
Krishnagiri District.

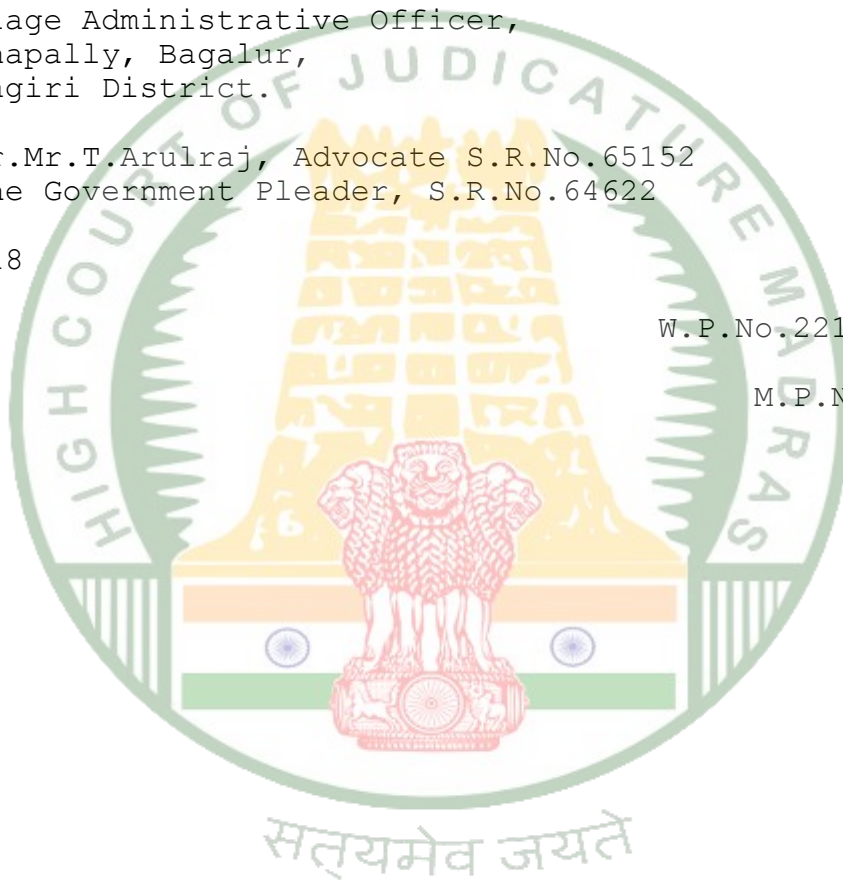
2.The Revenue Inspector,
Bagalur, Hosur Taluk,
Krishnagiri District.

3.The Village Administrative Officer,
Palavanapally, Bagalur,
Krishnagiri District.

+lcc to Mr.Mr.T.Arulraj, Advocate S.R.No.65152
+lcc to the Government Pleader, S.R.No.64622

KR/16/10/18

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