

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN  
AND  
THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.A.No.405 of 2012  
and M.P.Nos.1 of 2012 and 1 of 2014

Masinagudi Farmers and Land Owners Association  
Represented by its President  
Mr.P.T.Varghese  
No.6/10 Company Mala  
Masinagudi Post, Nilgiris District.

... Appellant

Vs

1. The State of Tamil Nadu  
Represented by its Secretary  
Department of Forest  
Fort St.George, Chennai 600 009.
2. The District Collector  
Nilgiris District.
3. The District Forest Officer  
Tamil Nadu Preservation of Private Forest  
Nilgiris District.
4. The District Registrar  
Udhagamandalam  
Nilgiris District.

...Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.No.7662 of 2010 dated 12.07.2011.

W.P.No.7662 of 2010:-

WP.No.7662 of 2010 filed under Article 226 of the Constitution of India praying for the issuance of a Writ of certiorari to call for the records relating to the Notification dated 1.11.1991 issued under Section 1(2)(ii) of the Tamilnadu Preservation of Private Forest Act 1949 and published in the District Gazette on 15.11.1991 and to quash the same

For Appellant : Mr.Mohammed Shaffiq

For Respondents : Mr.M.Santhanaraman  
Additional Government Pleader (Forests)

## JUDGMENT

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.)

This appeal is covered by the judgment dated 08 December, 2017 in W.A..No.35 of 2012, which was filed against the common order dated 12 July, 2011 in W.P.Nos.24575 of 2009 and 7662 of 2010 etc. Since the common order was confirmed by a co-ordinate Bench, it is not proper on the part of this Court to sit in appeal over the decision, by once again considering the order passed by the learned Single Judge. We therefore, dismiss the appeal by following the judgment dated 08 December, 2017 in W.A.No.35 of 2012. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gms

To

1. The Secretary,  
Department of Forest, State of Tamil Nadu  
Fort St.George, Chennai 600 009.
2. The District Collector, Nilgiris District.
3. The District Forest Officer  
Tamil Nadu Preservation of Private Forest  
Nilgiris District.
4. The District Registrar,  
Udhagamandalam,  
Nilgiris District.

+1cc to the Government Pleader, S.R.No.6798

W.A.No.405 of 2012

LRS (CO)  
CS/20/02/18