

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2018

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

W.P.No.22853 of 2017

C.Soundhararajan

Petitioner

Versus

- 1 The Secretary
Government of Tamilnadu
Department of Forest &
Environment Secretariat
St. George Fort Chennai-600 009
- 2 The Principal Chief Conservator
of Forests
No.1 Jones Road
Panagal Maligai Saidapet
Chennai 600 015
- 3 The District Collector
Thiruvarur District Thiruvarur 641 704
- 4 M.S.Parthiban
The District Forest Officer
O/o. The District Forest Officer
Thiruvarur District
Thiruvarur 641 704
- 5 R.M.S.Gowthaman
- 6 G.Nandhakumar

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to protect the forest from 4th to 6th respondents and the illegal tresspassers hunters and private land owners based upon the petitioner representation dated 7.3.2017.

For petitioner : Mr.M.Manikandhan

For RR1, 2 & 4 : Mr.S.V.Vijay Prashanth, AGP (Forests)

For For R3 : Mr.Jayaprakash Narayan,
Government Pleader (Incharge)

ORDER

(Order of the court was made by Dr.VINEET KOTHARI, J.)

The petitioner, C.Soundhararajan, Son of Chennaiyan, a Resident of Muthupet, Thiruvavur District, has filed this PIL Writ Petition in this court on 17th March 2017, seeking a direction to the Authorities of the Forest Department of the State against the alleged illegal hunting of Birds and other Animals of the Reserve Forest area of Muthupet.

2. Upon issuance of notice to the respondents, the Principal Chief Conservator of Forests and Chief Wildlife Warden, Mr.T.P.Raghunath has filed counter to the writ petition in this court, on 28.5.2018, denying the allegations of encroachment in the Reserve Forest, Felling of Trees and illegal Hunting of Animals.

3. The petitioner is said to have made representation to the Authority concerned on 7.3.2017 levelling certain allegations against the District Forest Officer, who is arrayed as Respondent No.4, with regard to the illegal hunting, which are denied in the counter filed by Respondent No.2.

4. Having heard the learned counsel for the parties and upon perusing the materials available on record, we are of the opinion that the present writ petition can be closed by directing Respondent No.2, the Principal Chief Conservator of Forests cum Chief Wildlife Warden, Chennai to decide the representation of the petitioner, within a period of three months from today, by holding an enquiry, after providing an opportunity to the petitioner as well as the District Forest Officer and after taking into consideration the evidence produced by them and submit his report to this court, in compliance of the directions of this court. Without any further notice, both the parties shall appear before the said Authority at the first instance on 8th January 2019.

5. With the above observation, this PIL writ petition is disposed of. No order as to costs.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To:

- 1 The Secretary
Government of Tamilnadu
Department of Forest &
Environment Secretariat
St. George Fort Chennai-600 009
- 2 The Principal Chief Conservator
of Forests-Child Welfare Warden
No.1 Jones Road
Panagal Maligai Saidapet
Chennai 600 015
- 3 The District Collector
Thiruvarur District Thiruvarur 641 704
- 4 The District Forest Officer
O/o. The District Forest Officer
Thiruvarur District
Thiruvarur 641 704

copy to:

The Sub-Assistant Registrar(Judicial)
High Court, Madras.

+1cc to Mr.M.Manikandhan, Advocate sr.no.88749
+1cc to Special Government Pleader(Forest) sr.no.87651

W.P.No.22853 of 2017

nr 22/01/2019