



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.P. [MD] .No.7273 of 2018

K.Duraisingam

: Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Forest Officer,
Social Forestry,
Ramanathapuram Division,
Ramanathapuram.

3.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

4.The Thasildhar,
Kadaladi,
Ramanathapuram District.

5.The Executive Engineer,
PWD/WRO,
Gundaru Water Basin Division,
PWD Campus, Madurai-625 002.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents from in any way preventing the villagers from removing the Kattukaruval trees and bushes on their own voluntary action from S.Kirandai Tank in Survey No.302, S.Kirandai Village, Kadaladi Taluk, Ramanathapuram District and restrain the forest authority not interfere in this matter and further direct the respondents to permit the villagers to carry out kudimaramattu at S.Kirandai Tank area to improve the storage capacity of the tank.

For Petitioner : Mr.Raja Karthikeyan

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader

**O R D E R**

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner has come out with this Writ Petition with a grievance that in the land classified as water body, Kattukaruval trees are planted by the Forest Department. Though auction was proposed, it was not confirmed. Taking note of the ensuing monsoon, the respondents will have to be directed to remove the standing trees in the water body, so that, water can be stored.

2. The learned Special Government Pleader, on instructions, would submit that in the auction conducted for the last year, there were no bidders. However, auction would be conducted for this year also.

3. Considering the submissions made, we direct the respondents to conduct an auction for the removal of Kattukaruval trees, within a period of six weeks from the date of receipt of a copy of this order. To solve the problem of no takers, the petitioner can also participate along with the villagers. While fixing the upset price, the respondents shall consider lesser amount, since it is submitted that most of the trees have become dry and unusable and there was no bidder earlier.

4. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Forest Officer,
Social Forestry,
Ramanathapuram Division,
Ramanathapuram.



3.The Revenue Divisional Officer,
Paramakudi,
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5.The Executive Engineer,
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PWD Campus, Madurai-625 002.

+ 1 CC TO MR.RAJA KARTHIKEYAN, ADVOCATE IN SR No. 79792

Order made in
W.P. [MD].No.7273 of 2018
Dated: 21.08.2018

SML

TR/SKN/SAR 1 (12/09/2018) 3p/7c