



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ
W.P. (MD) No.12930 of 2018
and
W.M.P. (MD) .No.11819 of 2018

K.R.Ramachandra Raja
Secretary,
Megamalai Farmers Association,
No.194/177, K.R.R.Nagar,
Theni,
Theni District.

... Petitioner

vs.

- 1.The Principal Chief Conservator of Forest,
Panagalmaligai, Saidapet,
Chennai-15.
- 2.The Chief Conservator of Forest,
Madurai Region,
Madurai-02.
- 3.The Forest Settlement Officer,
Bodinayakkanur,
Theni District.
- 4.The District Forest Officer,
Theni,
Theni District.
- 5.The Wild Life Warden,
Magamalai Wild Life Region,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to declare the pathway No.9 starting from Vellimalai S.F.No.1228 to 230 as permanent pathway in the light of G.O.MS.126, dated 16.09.1988 passed by the government.

For Petitioner : Mr.R.Senthil Kumar
For Respondents: Mr.N.Shanmugaselvam
Additional Govt. Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice on behalf of the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The petitioner is association of farmers. They owned



patta lands in Megamalai area and access to their lands is through the reserved forest under the control of the first respondent. They made representation for declaring pathway No.9 starting from Vellimalai S.F.Nos.1228 to 230 as permanent pathway in the light of G.O.MS.126, dated 16.09.1988. The second respondent has also considered the request and sought for certain details from the petitioner by his letter dated 02.03.2018 and the matter is still pending. The petitioner had submitted details and clarifications sought for by the first respondent and they also filed the revenue records in support of their case.

4. The learned counsel for the petitioner would contend that the monsoon is going to start. If orders are not issued, they are not in a position to transport the agricultural products. Therefore, they requested for early disposal of the appeal filed by the petitioner association.

5. Considering the submissions made by both parties, a direction is given to the first respondent to take a decision on the appeal presented by the petitioner association within a period of two months from the date of receipt of a copy of this order. Till such time, the farmers may be permitted to utilize the existing pathway for transporting their agricultural produce.

6. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(P&A)

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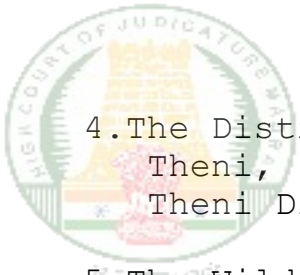
Sub Assistant Registrar

To:

1. The Principal Chief Conservator of Forest,
Panagalmaligai, Saidapet,
Chennai-15.

2. The Chief Conservator of Forest,
Madurai Region,
Madurai-02.

3. The Forest Settlement Officer,
Bodinayakanur,



4.The District Forest Officer,
Theni,
Theni District.

5.The Wild Life Warden,
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+1cc to Mr.R.SENTHIL KUMAR, Advocate, SR.No. 68765

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and
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VS
KK/SKN RSK/SAR-4/20.06.2018/3P-7C