



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].Nos.13905, 3828, 3829 and 2799 of 2018
and

W.M.P.(MD)Nos.12626, 12627, 3959, 3960, 3961, 3962 and 2963 of 2018

W.P.(MD)No.13905 of 2018:

M.Ganesan

: Petitioner

Vs.

1. The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Manamadurai Taluk Office,
Manamadurai, Sivagangai District.
4. Malavarayanenthall Village Panchayat,
Represented by the Special Officer -cum-
Block Development Officer,
O/o. Block Development Office,
Thirupuvanam Union,
Sivagangai District.

5. Mr.N.Elangovan

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to Na.Ka.A2/551/2017, dated 01.06.2018 on the file of the respondent No.2 and quash the same as illegal and consequently, direct the respondent Nos.1 to 4 to re-conduct the auction for cutting of Seemai Karuvelam/Veli Karuvelam Trees in Malavarayanenthall tank situated in Survey Numbers 96 and 89/2 to a total extent of 14.51.0 Hectares at Malavarayanenthall, Thirupachetthi Post, Manamadurai Taluk, Sivagangai District.



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For Petitioner
For Respondents 1to3

For Respondent No.4
For Respondent No.5

: Mr.T.Lajapathi Roy
: Mr.N.Shanmugaselvam,
Additional Government Pleader
: Mr.M.Rajarajan
: Mr.G.Prabhu Rajadurai

W.P.[MD].No.3828 of 2018:

M.Ganesan

: Petitioner

vs.

1. The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Manamadurai Taluk Office,
Manamadurai,
Sivagangai District.
4. Malavarayanenthall Village Panchayat,
Represented by the Special Officer -cum-
Block Development Officer,
O/o. Block Development Office,
Thirupuvanam Union,
Sivagangai District.

5. Mr.K.Alagu Sundaram

: Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.A7/3768/2016, dated 27.04.2017 on the file of the respondent No.3 and quash the same as illegal and consequently, direct the respondent Nos.1 to 4 to re-conduct the auction for cutting of Seemai Karuvelam/Veli Karuvelam trees in Malavarayanenthall tank situated in Survey Numbers : 62/1 to a total extent of 40.21.0 hectares at Vaigai river channel in Malavarayanenthall, Thirupachetthi Post, Manamadurai Taluk, Sivagangai District, within the time frame stipulated by this Court.

For Petitioner
For Respondents 1to3

: Mr.T.Lajapathi Roy
: Mr.N.Shanmugaselvam,
Additional Government Pleader



For Respondent No.4 : Mr.M.Rajarajan
For Respondent No.5 : Mr.G.Prabhu Rajadurai

W.P.[MD].No.3829 of 2018:

M.Ganesan

: Petitioner

vs.

1. The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Manamadurai Taluk Office,
Manamadurai,
Sivagangai District.
4. Malavarayanenthall Village Panchayat,
Represented by the Special Officer -cum-
Block Development Officer,
O/o. Block Development Office,
Thirupuvanam Union,
Sivagangai District.

5.Mr.N.Elangovan

: Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.A7/3768/2016, dated 27.04.2017 on the file of the respondent No.3 and quash the same as illegal and consequently, direct the respondent Nos.1 to 4 to re-conduct the auction for cutting of Seemai Karuvelam/Veli Karuvelam trees in Malavarayanenthall tank situated in Survey Number : 96 to a total extent of 35 Acres at Malavarayanenthall, Thirupachetthi Post, Manamadurai Taluk, Sivagangai District.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents 1to3 : Mr.N.Shanmugaselvam,
Additional Government Pleader
For Respondent No.4 : Mr.M.Rajarajan
For Respondent No.5 : Mr.G.Prabhu Rajadurai



W.P. [MD].No.2799 of 2018:

Nethaji

: Petitioner

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vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai Revenue Division,
Sivagangai.
3. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.
4. The Block Development Officer (Village Panchayat),
Sivagangai Block Development Office,
Sivagangai.
5. The Executive Engineer,
Surukaniyaru Vadinilakkottam,
Public Works Department,
Sivagangai.

6.Elangovan

: Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to issue necessary direction to the third respondent to conduct fresh auction for removal of the Juliflora trees found in the Malavarayanenthall Tank bearing Survey Numbers 96 and 89/2 within the Taluk Limit of Manamadurai, Sivagangai District, based on the petitioner's representation dated 08.01.2018 made to the first respondent.

For Petitioner

: Mr.K.Kannan

For Respondents 1to3&5

: Mr.N.Shanmugaselvam,
Additional Government Pleader

For Respondent No.4

: Mr.M.Rajarajan

For Respondent No.6

: Mr.G.Prabhu Rajadurai

**COMMON ORDER**

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

W.P. (MD) No.13905 of 2018:

The Writ Petition has been filed challenging the extension order. Admittedly, the said period has expired. Therefore, we are not inclined to go into the merits of the case. Accordingly, the Writ Petition stands closed. No costs. Consequently, the connected miscellaneous petitions are also closed.

W.P. (MD) Nos.3828, 3829 and 2799 of 2018:

In view of the above said order, nothing survives for adjudication in these Writ Petitions. Accordingly, they are also closed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/

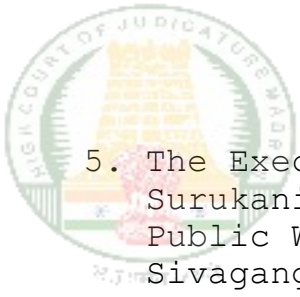
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.
2. The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Sivagangai,
Sivagangai District.
3. The Tahsildar,
Manamadurai Taluk Office,
Manamadurai, Sivagangai District.
4. The Special Officer cum The Block Development Officer,
O/o. Block Development office
Malavarayanenthall Village Panchayat,
Thirupuvanam Union,
Sivagangai District.



5. The Executive Engineer,
Surukaniyaru Vadinilakkottam,
Public Works Department,
Sivagangai.

6. The Block Development Officer,
(Village Panchayat)
Sivagangai Block Development Office,
Sivagangai.

+1 CC to Mr.G.Prabhu Rajadurai, Advocate, SR.No.92844

+1 CC to Mr.K.Kannan, Advocate, SR.No.93051

SML

SS/SKN/SAR 1/07.12.2018/6P/9C

Common Order made in
W.P.[MD].Nos.13905, 3828, 3829 and 2799 of 2018
and
W.M.P. (MD) Nos.12626, 12627, 3959, 3960, 3961,
3962 and 2963 of 2018
Dated: 29.10.2018