



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.15647 of 2018

B.Thulasi ... Petitioner
vs.

1. The District Forest Officer,
Kanyakumari District,
Office at Vadaseri, Nagercoil.

2. The Forest Range Officer,
Kulasekaram Forest Range,
Office at Kulasekaram,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's application dated 13.12.2017 filed for cutting and removing of fall down trees in Survey No.589/8 and 589/9 of Surulacode Revenue Village, Kalkulam Taluk in Kanyakumari District and to pass appropriate order by the 1st respondent herein within a time stipulated by this Court.

For Petitioner : Mr.S.Sathiskumar
For Respondents : Mr.N.Shanmuga Selvam
Additional Government Pleader

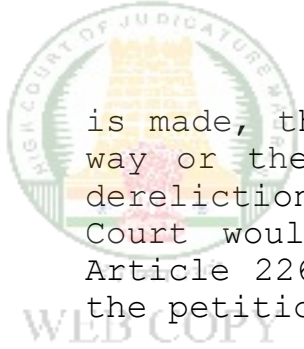
ORDER

Mr.N.Shanmuga Selvam, learned Additional Government Pleader, takes notice for the respondents.

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

3. It is the grievance of the petitioner that her application dated 13.12.2017, seeking for cutting and removing of fall down trees in Survey No.589/8 and 589/9 of Surulacode Revenue Village, Kalkulam Taluk in Kanyakumari District, has not been considered by the first respondent till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever an representation of this nature



is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application, dated 13.12.2017, on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The District Forest Officer,
Kanyakumari District,
Office at Vadaseri, Nagercoil.
2. The Forest Range Officer,
Kulasekaram Forest Range,
Office at Kulasekaram,
Kanyakumari District.

+1 CC to Mr.S.SATHEESHKUMAR, Advocate in SR.No.73466

SJI
RJ/SKN/RSK/SAR-IV/30/07/2018 - 2P/4C

W.P. (MD) No.15647 of 2018
18.07.2018