

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8263 of 2012

and

M.P.No.1 of 2012

K.V. Prasad

... Petitioner

-vs-

1.The District Committee constituted under the Tamil Nadu Preservation of Private Forests Act,1949 represented by its Chairman/District Collector, Nilgiris District. Otacamund.

2. The District Forest Officer, North Division, Otacamund.

3. The Tahsildar, Otacamund

4. The Executive Engineer, Agriculture Engineering Department, Otacamund

..... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari to call for the records comprised in RC A4/28385/2011 dated 31.01.2012 on the file of the first respondent cancelling the order made in RC A4/11630/2011, dated 05.07.2011 on the file of the first respondent and quash the same.

For Petitioner :: Mr.R. Suresh Kumar

For Respondents :: Mrs.Thangavadhana Balakrishnan

AGP

ORDER

The petitioner has filed the writ petition praying this court to issue a Writ of Certiorari to call for the records comprised in RC A4/28385/2011 dated 31.01.2012 on the file of the first respondent cancelling the order made in RC A4/11630/2011, dated 05.07.2011 on the file of the first respondent and quash the same.

2. Counter has been filed by the respondent.

3. When the matter is taken up today, the learned Additional Government Pleader submitted that an Amendment has already been brought and the same came into force with effect from 09.07.2018 and as per the Amendment, the petitioner has to prefer an appeal before the first respondent.

4. In view of the same, the learned counsel for the petitioner submitted that the writ petition may be dismissed as withdrawn with liberty to approach the first respondent. He has also made an endorsement to that effect.

5. In view of the endorsement made by the learned counsel for the petitioner, the writ petition is dismissed as withdrawn with liberty to the petitioner to approach the first respondent. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Committee constituted under the Tamil Nadu Preservation of Private Forests Act, 1949 represented by its Chairman/District Collector, Nilgiris District. Otacamund.

2. The District Forest Officer, North Division, Otacamund.

3. The Tahsildar, Otacamund

4. The Executive Engineer, Agriculture Engineering Department, Otacamund

+1cc to Mr. R.Suresh Kumar, Advocate, S.R.No. 77966

+1cc to the Special Government Pleader(Forest), S.R.No.77589

W.P.No.8263 of 2012

KK(CO)
GN(15/10/2019)