



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2019

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.3731 of 2019

P.Periyasamy

.. Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
Water Resources Department,
Pudukkottai.

2.The Assistant Executive Engineer,
Public Works Department,
Water Resources Department,
South Vellaru Drainage Land Sub Region,
Keeranur, Pudukkottai District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents permitting the petitioner to carry out the work of cutting and removal of velikaruvelam trees grown up in the Kedavankulam Bank and catchment area situated within the limits of Kathalur Panchayat, Viralimalai Taluk, Pudukkottai District in the light of the work order issued by the second respondent in his proceedings in execution order No.o.13/2016/AE (PWD)(K) dated 12.09.2016 thereby duly extending the period of time based on the petitioner's representation dated 15.02.2019 within a time frame as fixed by this Court.

For Petitioner : Mr. B. Prahalad Ravi

For respondents : Mr.K.Mu. Muthu

Additional Government Pleader

O R D E R

Heard the learned counsel appearing on either side.

2. The petitioner was issued with proceedings dated 12.09.2016, for cutting and removal of velikaruvelam trees grown up in the Kedavankulam Bank and catchment area situated within the limits of Kathalur Panchayat. The petitioner now wants further extension of time in this regard, by his representation dated



15.02.2019. The first respondent authority is competent to pass orders thereon.

3. The learned Additional Government Pleader appearing for the respondents points out that when the cutting order was issued way back in the September 2016, it is not open to the petitioner to move this Court so belatedly, because, trees have been grown in the meanwhile and their value has gone up.

4. I am of the view that the first respondent can convey this to the petitioner by passing appropriate orders. This Court has not given any positive direction in favour of the petitioner. The only direction is given that the first respondent should dispose of the matter on merits and in accordance with law. It is made clear that this Court has not pronounced anything on the merits of the matter. It is open to the authorities to pass orders one way or the other.

5. With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

To

1.The Executive Engineer,
Public Works Department,
Water Resources Department,
Pudukkottai.

2.The Assistant Executive Engineer,
Public Works Department,
Water Resources Department,
South Vellaru Drainage Land Sub Region,
Keeranur, Pudukkottai District.
+1CC to The Special Government Pleader SR.No. 51950.

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