



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 27.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.7264 of 2019

KR.Rajendran

... Petitioner

Vs

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

3.The District Collector,
Sivaganga District. ... Respondents

(R3 is impleaded as the third respondent vide order dated 27.03.2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order made in O.Mu.A9/6968/2018 dated 12.02.2019 on the file of the second respondent and quash the same and directing the respondents to extend the lease period at least for a period of three months to cut and remove the Velikaruvela Trees stands in Kasthurimangalam Kanmaai (Survey No.26 to the extent of 20.00.0 Hectare) and Chinnanachi Kanmaai (Survey No.4 to the extent of 1.00.0 Hectare) of Devapattu Village Group, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.V.Kannan
For Respondents : Mr.M.Rajarajan
Government Advocate

ORDER

Heard the learned counsel on either side. By consent of both parties this writ petition is taken up for final disposal at the admission stage itself.

2. The District Collector, Sivagangai District, is suo motu impleaded as the third respondent. Mr.Rajarajan, learned Government Advocate takes notice for the respondents.

3. The petitioner was given license to cut and remove the Karuvela trees in the petition mentioned tank. The petitioner could not complete the work within the allotted period. He, therefore, has sought extension of time. But the petitioner's request was rejected by citing the telephonic instructions of the District Collector, Sivagangai. The petitioner has given certain reasons as



to why he could not complete the work within the allotted time. Without considering those grounds, the impugned order has been mechanically passed.

4. The learned counsel for the petitioner points out that even though the upset price was only Rs.65,000/- (Rupees sixty Five Thousand only), he had bid for a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only). The petitioner is willing to pay little more, if he is granted further extension of time.

5. Since the second respondent has cited the telephonic instruction of the third respondent herein, this Court permits the petitioner to file a petition before the District Collector, Sivagangai seeking extension of time. The District Collector, Sivagangai will take note of all the grounds pleaded by the writ petitioner and pass order afresh. The District Collector need not be bound by the earlier instructions that has been given to the Tahsildar, Karaikudi. The District Collector pass such orders within a period of two weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar(CS-)

To

1.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

2.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

3.The District Collector,
Sivaganga District.

+1cc to Special Government Pleader, SR.No.57456
+1cc to Mr.V.Kannan, Advocate, SR.No.57783

W.P. (MD) No.7264 of 2019
27.03.2019

SP/28.03.2019/ 2P/6C