



WEB COPY

W.P.(MD) No.885 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.885 of 2019

P.Manikandan

... Petitioner

-vs-

- 1.The District Collector,
Theni District,
Theni.
- 2.The District Revenue Officer,
Theni, Theni District.
- 3.The Revenue Tahsildar,
Uthamapalayam,
Theni District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to take appropriate action to conduct re-auction for removal of Seemaikaruvel trees situated at Kuthuval Poramboke land, Pottipuram Revenue Village, Uthamapalayam Revenue Taluk, Theni District and publish the same in the official Respondents' Gazette as per Proceedings of the 1st Respondent in Na.Ka.No.18333/2017/Aa3 dated 22.02.2018 and in the light of the Petitioner's representation dated 07.01.2019 within a prescribed time framed by this Hon'ble Court.

For Petitioner	:	Mr.C.M.Ganesan
For Respondents	:	Mr.A.Muthukaruppan Additional Government Pleader

O R D E R

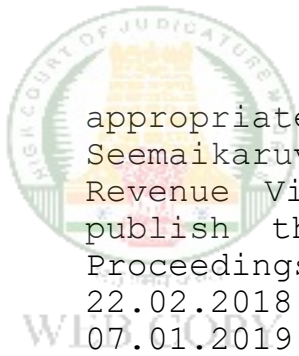
[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.C.M.Ganesan, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents.

2.By consent on either side, this Writ Petition is taken up for final hearing.

3.The petitioner has filed this Writ Petition, seeking for issuance of a Writ of Mandamus, directing the Respondents to take

<https://hcservices.ecourts.gov.in/hcservices/>



appropriate action to conduct re-auction for removal of Seemaikaruvel trees situated at Kuthuval Poramboke land, Pottipuram Revenue Village, Uthamapalayam Revenue Taluk, Theni District and publish the same in the official Respondents' Gazette as per Proceedings of the 1st Respondent in Na.Ka.No.18333/2017/Aa3 dated 22.02.2018 and in the light of the Petitioner's representation dated 07.01.2019 within a time frame.

4.The grievance of the petitioner is that appropriate action is not being taken to conduct re-auction for removal of Seemaikaruvelam trees.

5.The learned Additional Government Pleader on written instruction from the third respondent would submit that in February auction was notified for removal of Seemaikaruvelam Trees and subsequently, the Tahsildar got transferred and now a new incumbent has recently been joined and necessary auction would be taken to conduct re-auction for removal of Seemaikaruvelam trees.

6.Considering the facts and circumstances of the case and the submission of the learned Additional Government Pleader appearing for the respondents, the third respondent is directed to issue appropriate notification to conduct re-auction for removal of Seemaikaruvel trees situated at Kuthuval Poramboke land, Pottipuram Revenue Village, Uthamapalayam Revenue Taluk, Theni District in the appropriate form as per relevant guidelines within 15 days from the date of receipt of a copy of this order and proceed further in accordance with law to take action to remove the Seemai Karuvelam Trees at Kothuval Poromboke land.

7.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar(CS-)

To

1.The District Collector,
Theni District,
Theni.

2.The District Revenue Officer,
Theni, Theni District.



3.The Revenue Tahsildar,
Uthamapalayam,
Theni District.

WEB COPY

+1 CC to M/s.SPL GP (SR-88378[F] dated 20/09/2019)

W.P. (MD) No.885 of 2019
19.09.2019

sj
ES/01.10.2019/3P/5C