



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.20095 of 2019

G.Thirumurugan

... Petitioner

Vs.

1.The Principal Secretary to Government,
The State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai-600 009.

2.The District Collector,
District Collector Office,
Ramanathapuram District.

3.The District Forest Officer,
Office of the District Forest Officer,
Ramanathapuram District.

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to protect the bats and trees situating in Ramanathapuram Collector Office and consequently, take appropriate action to establish bird and bats sanctuary in the Ramanathapuram Collector Office, by considering the petitioner representation dated 28.01.2019 in accordance with law within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For Respondents	: Mr.M.Murugan
	Government Advocate

ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.M.Murugan, learned counsel Government Advocate appearing for the respondents.



2.By consent on either side, this writ petition is taken up for disposal.

3.The petitioner by way this public interest litigation seeks to protect the bats which are in the trees situated in Ramanathapuram Collector Office. The petitioner would state that the bats are found in the trees of Ramanathapuram Collector Office, because of destruction of forest area in and around Ramanathapuram District.

4.It is an endeavour of the petitioner to construct a bats sanctuary, so as to protect the species. The respondents have taking note of the representation and have also given a reply to the petitioner, who is a practising Advocate.

5.From the reply dated 04.02.2019, it is seen that the officials have stated that there is no possibility of establishing a bats sanctuary, because the bats are termed as 'Vermin' in terms of Section 2(34) of the Wild Life (Protection) Act, 1972 and it is a wild animal specified in Schedule V.

6.However, the letter states that every step will be taken to ensure that the bats are protected and trees will not be felled. This statement made by the third respondent is placed on record and the third respondent shall take all effective steps to protect the species and ensure that there is no felling of trees in the Ramanathapuram District Collector office. The above direction is being issued, based on the statement made by the third respondent, which has been placed on record and therefore, the third respondent should ensure faithful and effective compliance of the same.

7.With the above observations, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar

Ns

To

1.The Principal Secretary to Government,
The State of Tamil Nadu,
Environment and Forest Department,
Fort St.George,
Chennai-600 009.

2.The District Collector,
District Collector Office,
Ramanathapuram District.

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



3.The District Forest Officer,
Office of the District Forest Officer,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-88361[F] dated 20/09/2019)

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JM/14.10.2019/3P/5C