



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.22344 of 2019

WEB COPY

M.Muruganantham

... Petitioner

-vs-

1.The Secretary to Government of Tamilnadu,
Forest Department,
Fort St. George, Chennai.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

3.The Chief Conservator of Forest,
Tirunelveli Circle,
Tirunelveli.

4.The Superintending Engineer,
TANGEDCO,
Tirunelveli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to issue no objection certificate and necessary orders to the 4th respondent to effect electricity service connection to the petitioner's community people by considering the petitioner's representation dated 01.08.2019.

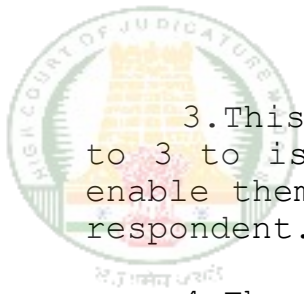
For Petitioner	:	Mr.T.Lenin Kumar
For Respondents 1 to 3	:	Mr.A.K.Baskara Pandian Special Government Pleader

O R D E R

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

Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondents 1 to 3.

2.By consent on either side, this Writ Petition itself is taken up for final disposal. In view of the order we propose to pass in this Writ Petition, notice to the 4th respondent is dispensed with.



3.This Writ Petition has been filed to direct the respondents 1 to 3 to issue no objection certificate to him and others so as to enable them to obtain electricity service connection from the fourth respondent.

4.The petitioner claims to be forest dweller, residing in dense forest and they require electricity supply to facilitate their children to study.

5.The learned Special Government Pleader appearing for the respondents 1 to 4 would submit that genuine forest dwellers have been relocated and houses have been allotted to them, however, they are refusing to shift. He would also submit that Adivasi Gririvarka Kanikar Karshaka Samudaya Sangam has filed a Writ Petition in W.P. (MD) No.21588 of 2019, wherein they sought for grant of patta and the said Writ Petition was dismissed as withdrawn by order dated 16.10.2019.

6.We cannot issue any direction contrary to the restrictions of the Forest and since the activities, which are not permissible in the Reserved Forest are sought for, we cannot accede to the prayer sought for in the Writ Petition.

7.In view of the above, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

1.The Secretary to Government of Tamilnadu,
Forest Department, Fort St. George, Chennai.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The Chief Conservator of Forest,
Tirunelveli Circle, Tirunelveli.

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