



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2019

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THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P(MD)Nos.21274 to 21278 of 2016

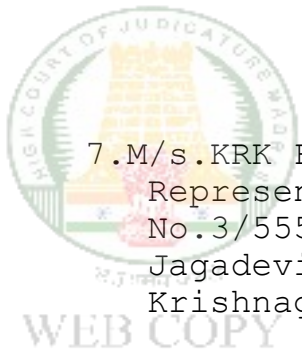
and

W.M.P. (MD)No.15215 and 15224 of 2016

M.Chandrasekar	... Petitioner in W.P.(MD)No.21274 of 2016
S.Paulraj	... Petitioner in W.P.(MD)No.21275 of 2016
C.Dhandapani	... Petitioner in W.P.(MD)No.21276 of 2016
P.Nagarajan	... Petitioner in W.P.(MD)No.21277 of 2016
J.Suresh	... Petitioner in W.P.(MD)No.21278 of 2016

Vs.

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary,
Department of Forests and Environment,
St.George Fort, Chennai-600 009.
- 2.The Principal Chief Conservator of Forest,
O/o. The Chief Conservator of Forest,
Panagal Building, Saidapet, Chennai-15.
- 3.The Chairman cum District Collector,
Dindigul District Hill Areas (Preservation of Trees),
Committee, O/o the District Collector,
Dindigul District.
- 4.The District Conservator of Forests,
O/o.The District Conservator of Forests,
District Collectorate Complex,
Tadikompu Road, Dindigul-4.
- 5.The District Forest Officer,
O/o.The District Forest Office,
Kodaikanal, Dindigul District.
- 6.The Secretary cum Personal Assistant (General)
to District Collector,
Dindigul District Hill Areas (Preservation of Trees),
Committee, O/o, the District Collector,
Dindigul District.



7.M/s.KRK Farms & Plantation Pvt.Ltd.,
Represented by its Managing Director,
No.3/555, Karunai Nagar,
Jagadevipalayam (Village),
Krishnagiri District.

8.K.Shagul Riyaz Hameed

9.Nepolean

10.Syed Ali Usman Madhani

11.Poondi Mannavanur Village,
Kurudikadu @ Akkarai Kadu Small,
Farmers Development Association,
representing through its
Secretary, M.Sekar,
Kumboor Post,
Kodaikanal Taluk,
Dindigul District.

... Respondents

(R11 is impleaded vide Court order dated 23.08.2017 in
W.M.P.(MD)Nos.2018, 2019, 2020, 2021 and 2022 of 2017)

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of writ of Mandamus, to direct the respondent Nos.1 to 5 to take appropriate action to stop illegal felling of trees and to take action against the persons, who are involved in illegal felling of trees in properties of the petitioners in Re-Survey Nos.1075/6, 1076/1, 1082/2, 1083/2, 1085/1 and 1102/1 to an extent of 6.13.0, Re-Survey Nos.1075/5, 1086/1, 1089/3, 1091/5, 1096/5 to an extent of 5.13.5 hectares, Re-Survey Nos.1091/3, 1086/2, 1100/1 to an extent of 2.69.0 Hectares, Re-Survey Nos.1075/1, 1091/1 to an extent of 1.13.5 Hectares and in Re-Survey Nos.1087, 1088/1, 1088/2, 1097/1 to an extent of 4.19.0 Hectares in Poondi Village, Kodaikanal Taluk, Dindigul District within the time fixed by this Court.

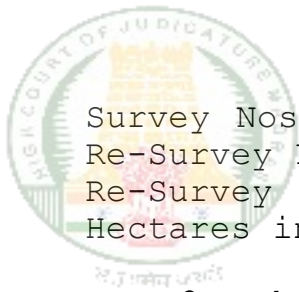
For Petitioners : Mr.M.Fazil for Mr.T.Lajapathi Roy

For R1 to R6 : Mr.A.Thiagarajan
Government Advocate

For R11 : Mr.R.Shankar Ganesh

COMMON ORDER

The writ petitioners pray for a Mandamus directing the respondents 1 to 5 to take action to stop illegal felling of trees. The petitioners have sought permission to fell the trees in their land comprised in R.Sy.Nos.1075/6, 1076/1, 1082/2, 1083/2, 1085/1 and 1102/1 of an extent of 6.13.0 hectares, Re-Survey Nos.1075/5, 1086/1, 1089/3, 1091/5, 1096/5 of an extent of 5.13.5 hectares, Re-



Survey Nos.1091/3, 1086/2, 1100/1 of an extent of 2.69.0 Hectares, Re-Survey Nos.1075/1, 1091/1 of an extent of 1.13.5 Hectares and in Re-Survey Nos.1087, 1088/1, 1088/2, 1097/1 of an extent of 4.19.0 Hectares in Poondi Village, Kodaikanal Taluk, Dindigul District.

2. They have filed an application to the third respondent / Chairman cum District Collector, Dindigul District Hill Areas (Preservation of Trees), Committee seeking permit to fell 9649, 8953, 5009, 2408 and 7305 manually planted eucalyptus trees on 18.07.2011. They were permitted to cut 1749, 6273, 1027, 726 and 3211 trees respectively, in the first phase. The services of the seventh respondent, a private contractor was engaged to carry out the job of felling. It is the petitioners' averment that in course of time, the eighth respondent illegally trespassed into the adjacent lands, which according to them, constitute forest land, felling trees therein without requisite permission. Despite their efforts to contain / prevent the same, they were not successful. Representations were filed before the authorities, to no avail.

3. They have thus come forth with these writ petitions seeking a direction from this Court to stop the alleged illegal activity. This Court on 07.11.2016 had sought inspection of the sites in question to ascertain the veracity of the petitioners' allegation. Report, dated 26.11.2016 is placed on file. Though the District Collector has represented some practical difficulty in conducting the inspection of the terrain, his categorical conclusion, notwithstanding the constraint expressed is to the effect that there is no unauthorized felling of trees, as apprehended by the petitioner.

4. These writ petitions are closed recording the above position. Liberty is granted to the petitioners to approach this Court in the event they notice any unauthorised felling of trees in the lands in question in future. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

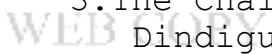
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Sub Assistant Registrar(CS)

To

1.The Principal Secretary,
Department of Forests and Environment,
St.George Fort, Chennai-600 009.

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



2. The Principal Chief Conservator of Forest,
O/o. The Chief Conservator of Forest,
Panagal Building, Saidapet, Chennai-15.
3. The Chairman cum District Collector,
Dindigul District Hill Areas (Preservation of Trees),
Committee, O/o the District Collector,
Dindigul District.
4. The District Conservator of Forests,
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District Collectorate Complex,
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to District Collector,
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Committee, O/o, the District Collector,
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7. M/s. KRK Farms & Plantation Pvt. Ltd.,
Represented by its Managing Director,
No.3/555, Karunai Nagar,
Jagadevipalayam (Village),
Krishnagiri District.

+1 CC to M/s.S.JESSINTHA, Advocate (SR-79332[F] dated 02/08/2019)

+1 CC to M/s.SPL GP (SR-79417[F] dated 02/08/2019)

W.P (MD) Nos.21274 to 21278 of 2016
01.08.2019

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