



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.07.2019**

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No.20377 of 2017

and

W.M.P. (MD)No.16621 and 16622 of 2017

T.Selvam

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of Environment and
Forests Department, Secretariat,
Chennai-9.

2.The District Collector cum Chairman of
District Forest Committee,
Office of the District Collectorate,
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in R.C.No.M1/31545/2017 dated 17.09.2017 on the file of the respondent No.2 and quash the same as illegal and consequently direct the respondent No.2 to grant permission for transfer of land in Old Survey No.2 to grant permission for transfer of land in Old Survey No.2682-2 in Re-survey No.614/1 in an extent of 26 acres (10.52.64 hectares) in Therisanamkoppu Village, Azhgiapandiapuram town panchayat, Tovalai Taluk, Kanyakumari District to the petitioner within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.J.Padmavathi Devi
Special Government Pleader

ORDER

Both learned counsel are agreed on the position that the amendment brought to the Tamil Nadu Reservation of Private Forests Act, 1949 by insertion of Section 4-A thereto has been notified on 09.07.2018 in G.O.Ms.No.94, Environment and Forests (FR.3) Department with effect from the aforesaid date.



2. In the light of the same, the reason for rejection of the application of the petitioner under the impugned order does not survive any longer. Counter filed by the respondents states that the application of the petitioner has been revived along with all other applications pending from the year 2013 and as such the position of the petitioner is 234rd in the queue.

3. The learned Special Government Pleader prays that some time may be granted for disposal of the petitioners' application and as such a mandamus is issued to the respondents to dispose the same within a period of twelve weeks from today (i.e., 23.07.2019) after hearing the petitioner.

4. This Writ Petition is disposed of in the aforesaid terms. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The Government of Tamil Nadu,
Represented by its Principal Secretary,
Department of Environment and
Forests Department, Secretariat,
Chennai-9.

2.The District Collector cum Chairman of
District Forest Committee,
Office of the District Collectorate,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-77173[F] dated 24/07/2019)
+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-77217[F] dated
24/07/2019)

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23.07.2019

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JM/30.09.2019/2P/5C