

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.No.5592 of 2020

Mr.V.Sekar

.... Petitioner

-vs-

1.The Chief Conservator of Forest,
Chennai Circle,
No.259, III Floor,
DMS Campus, Chennai - 600006.

2.The Chief Conservator of Forest,
State Forest Research,
Vandalur (Via), Kolapakkam - 600127.

3.M/s. Om Sakthi Constructions,
Flat No.3 - C, Mandira Apartments,
No.53, North Boag Road, T.Nagar,
Chennai - 600017.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st and 2nd respondents to take action on the petitioner's representation dated 26.12.2019 to save the trees including forests.

For Petitioner : Mr.A.Ramesh Manikandan

For Respondents : Mr.S.Prabhu

Additional Government Pleader
(Forest)

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the petitioner and learned Additional Government Pleader (Forests) appearing for the State.

2. The petitioner raises a call with regard to felling of trees, which were not felled, according to the petitioner, without obtaining due permission from the Forest Department.

3. From the pleadings on record, it is evident that the trees appear to have been felled for the purpose of construction of National Highway. The constructions are being carried out and the permission appears to have been given ex post facto.

4. In the aforesaid circumstances, the question of restraining the felling of trees with regard to the construction of a highway would not be in public interest. We, therefore, decline to entertain the writ petition without delving into the matter any further with a direction to the respondents to foresee that in future in case any such felling is required, the Department concerned takes an appropriate permission in this regard.

5. The Writ Petition is dismissed, accordingly. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To

1.The Chief Conservator of Forest,
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+1cc to Mr.A.Ramesh Manikandan, Advocate SR.No.19459

+1cc to Special Government Pleader SR.No.20374

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BS (CO)
GMY (21/05/2020)