

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM :

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

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.No.2611 of 2020
and W.M.P.No.3036 of 2020

A.Sankar

... Petitioner

-vs-

1. The Principal Chief Conservator of Forests,
Pangal Maligai,
Saidapet,
Chennai.
2. The District Collector,
Krishnagiri,
Krishnagiri District.
3. The Additional Chief Conservator of Forests,
Dharmapuri,
Dharmapuri District.
4. The District Forest Officer,
Social Forest and Forest Extension Development Division,
Krishnagiri,
Krishnagiri District.

5. Ravi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records in connection with auction of cutting of trees in Marampatti Periya Eri, Uthangarai Taluk, Krishnagiri District Na.Ka.No.870/2019/Thu dated 27.08.2019 published in Krishnagiri District Gazette dated 23.09.2019 and quash the same.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.S.Prabhu
Additional Government
Pleader (Forest)

ORDER
(Delivered by The Hon'ble Chief Justice)

The contention raised by the petitioner is that the respondents have proceeded to auction for felling of Karuvaelan trees in Javvadu Hills stretch of Krishnagiri District. The contention is that there are large number of rare species of birds, animals, flora and fauna, that will be widely affected on account of felling of these trees. It is also the contention that previously, a survey had been conducted and the survey reports do indicate that keeping in view the environment of the area, the existence of the trees is necessary and learned counsel submits that any attempt to remove the trees would be imbalancing the environment of the area to a considerable extent.

2. The petitioner contends that he has approached this Court with promptness as and when the respondents have proceeded to issue the notification for auction, without considering the representation filed by the petitioner.

3. Learned counsel for the respondents State, however, submit that this particular tree is botanically known as Prosopis Juliflora, which is not fauna friendly and therefore, any such contention that the felling of such trees would affect the animal life of the area, is not justified.

4. We find such issues being the matter of expertise, cannot give rise to a scope for any such scientific inquiry by us at this stage, unless, the matter is looked into by the Government itself or by any such expert body and even otherwise, an environmental issue can always be raised before the National Green Tribunal, the bench whereof, is available at Chennai.

5. We are, therefore, not inclined to entertain the petition, but we dispose it of with liberty to the petitioner to approach the State Government for the redressal of any such grievance and in the event, if the petitioner is still aggrieved, it is open to him to bring it to the notice of the National Green Tribunal for any appropriate action in the matter. It will be open to the Government to consider the representation filed by the petitioner and inform him accordingly, about the outcome thereof. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/True Copy/

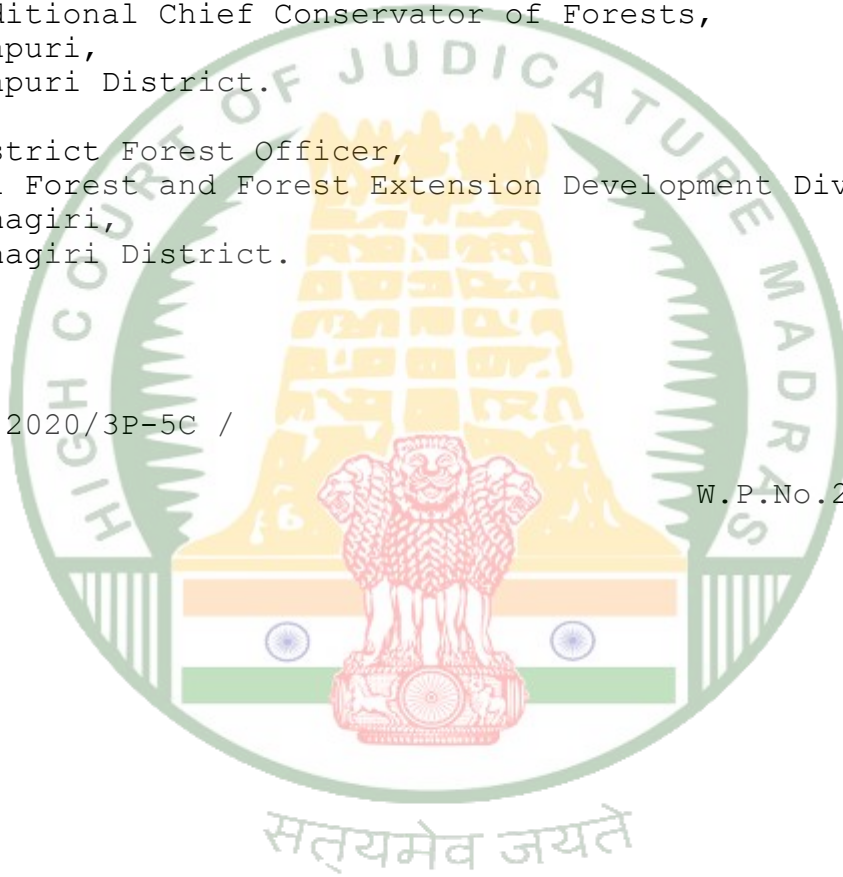
Sub Assistant Registrar

To

1. The Principal Chief Conservator of Forests,
Pangal Maligai,
Saidapet,
Chennai.
2. The District Collector,
Krishnagiri,
Krishnagiri District.
3. The Additional Chief Conservator of Forests,
Dharmapuri,
Dharmapuri District.
4. The District Forest Officer,
Social Forest and Forest Extension Development Division,
Krishnagiri,
Krishnagiri District.

AKM/06.02.2020/3P-5C /

W.P.No.2611 of 2020



WEB COPY