



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM :

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.7954 of 2015

C.Kumban

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary, Forest Department,
Fort St. George, Chennai - 600 009.

2.The Chief Conservator of Forests,
Saidapet, Chennai - 600 015.

3.The Director of Adi-Dravida Welfare,
Madras University, Chennai - 600 005.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 1st and 2nd respondents to act on the representation of the petitioner dated 28.08.2014 and grant permission for the free collection and sale of minor forest products under the provisions of the Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007).

For Petitioner : Mr.T.Gowthaman

For R1 and R2 : Mr.M.Elumalai
Additional Government Pleader

For R3 : Ms.A.Madumathi
Special Government Pleader

O R D E R

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents 1 and 2 to act on the representation of the petitioner dated 28.08.2014 and grant permission for free collection and sale of minor forest products under the provisions of the Scheduled Tribes and other Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007).

2.When the writ petition was taken up for hearing, Mr.M.Elumalai, learned Additional Government Pleader appearing for the respondents 1 and 2, submitted that the petitioner's representation dated 28.08.2014 has already been considered by the 2nd respondent on 24.11.2014. In the counter affidavit



filed by the 2nd respondent also, it has been stated that the representation has been disposed of on 24.11.2014.

3.Mr.T.Gowthaman, learned counsel for the petitioner, submitted that the petitioner has not been served with a copy of the order dated 24.11.2014 and therefore, the respondents may serve a copy of the order dated 24.11.2014. Mr.M.Elumalai, learned Additional Government Pleader appearing for the respondents 1 and 2, submitted that a copy of the order dated 24.11.2014 would be served on the petitioner in two days' time.

4.In view of the averments made in the counter affidavit filed by the 2nd respondent, nothing survives in the writ petition for adjudication and hence, this writ petition is dismissed as infructuous. If the petitioner is aggrieved over the order passed by the 2nd respondent, it is open to the petitioner to challenge the same in accordance with law. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

mkn

To

1.The Secretary, Forest Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The Chief Conservator of Forests,
Saidapet, Chennai - 600 015.

3.The Director of Adi-Dravida Welfare,
Madras University, Chennai - 600 005.

+1cc to Government Pleader SR.No.29649

+1cc to SpecialGovernment Pleader (Forest)SR.No.29667

W.P.No.7954 of 2015

KJ(CO)
GMY(19/10/2020)