

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.11403 of 2020

P.M.Siddhayan
S/o.Marappan

.. Petitioner

- Vs -

- 1.The District Collector,
Office of the Collectorate,
Krishnagiri District.
- 2.The District Forest Officer,
Hosur Forest Division,
Hosur.
- 3.M/s.Powergrid Corporation of India Ltd.,
5/1706-C, Perumal Goundar Street,
Illakkiyampatti,
Dharmapuri-636 705.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the third respondent to pay a sum of Rs.8,09,054/- towards value of trees cut and removed from the petitioners land situated in Survey No.131 of Chennappalli Village, Shoolagiri Taluk, Krishnagiri District and a sum of Rs.7 lakhs towards maintenance expenses together with interest at 18% per annum based on the petitioner's representation dated 11.06.2020 within the time.

For Petitioner : M/s. S.A.SayedShuhaibb

For Respondents: Mr.Anni Ezhil
Government Advocate for R1
Mr.S.Prabhu
AGP for R2
M/s.Iyar and Dolia
for R3

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the third respondent to pay the compensation towards the value of the trees that were cut and removed from the property belonging to the petitioner.

2. The case of the petitioner is that he is the absolute owner of the subject property and he was growing trees in the property. According to the petitioner, the third respondent was laying the transmission line and in the course of doing the said work, several trees were cut and thereby, the petitioner sustained loss. The petitioner sought for compensation before the first respondent. A report was directed to be given by the second respondent and the second respondent has already submitted the report before the first respondent. The first respondent has thereafter issued notice to the third respondent and informed the third respondent that an enquiry will be conducted with regard to the compensation sought for by the petitioner. The grievance of the petitioner is that there is no progress in the enquiry and therefore, the petitioner has approached this Court seeking for appropriate direction.

3. Heard the learned counsel for the petitioner, Mr. Annai Ezhil, learned Government Advocate appearing for the first respondent, Mr. S. Prabhu, learned Additional Government Pleader for the second respondent and the learned counsel for the third respondent.

4. Taking into consideration the facts and circumstances of the case and also of the fact that necessary report has already been submitted before the first respondent and the first respondent has also called the petitioner and the third respondent for an enquiry, there shall be a direction to the first respondent to afford sufficient opportunity to the parties and conduct the enquiry strictly in accordance with law and pass appropriate orders, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Office of the Collectorate,
Krishnagiri District.

2.The District Forest Officer,
Hosur Forest Division,
Hosur.

+1 cc to M/s.R.Bharath Kumar, Advocate Sr.No. 28213

+1 cc to The Government Pleader, Sr.No. 28161

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VSII(CO)
RMP(14/09/2020)



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