



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.4007 of 2020

WEB COPY

R.Nithish Kumar

... Petitioner

Vs.

1) The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai.

2) The District Collector,
Theni District,
Theni.

3) The Regional Conservator of Forests,
Madurai Region,
Race Course Road,
Madurai.

4) The Wild Life Warden,
Megamalai Wild Life Forest Division,
Theni, Theni-District.

5) The Forest Ranger,
Kampam- South,
Forest Ranger Office,
Theni-District, Theni.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 4 and 5 to release the petitioner TATA HITACHIN Ex 70- HYROLICE EXCAVATOR (Machine Serial NO.0703-8623) by considering petitioner's representation dated 06/01/2020 in accordance with law.

For Petitioner : Mr.M.Vigneshkumar

For Respondents : Mrs.J.Padmavathi Devi
Special Government Pleader

O R D E R

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondents.

2. By consent, the writ petition is taken up for final disposal at the admission stage itself.



3. The writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents 4 and 5 to release the petitioner TATA HITACH in Ex 70- HYROLICE EXCAVATOR (Machine Serial NO.0703-8623) by considering petitioner's representation on 06/01/2020 in accordance with law.

WEB COPY

4. The case of the petitioner is that, the petitioner's TATA HITACHI Ex 70- HYROLICE EXCAVATOR (Machine Serial NO.0703-8623) was seized by the 4th and 5th respondents on 04.01.2014 and handed over the same to Sinnamanoor, Forest range office. The petitioner made a representation dated 06.01.2020 to the respondents to release the Hitachi vehicle used for cutting trees. Till date, the respondents have not considered the representation of the petitioner and therefore, the petitioner has approached this Court by way of filing the present writ petition.

5. In view of the above, without expressing any opinion on the merits of the claim made by the petitioner, the 4th and 5th respondents are directed to consider the representation of the petitioner dated 06.01.2020 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sts

To:

- 1) The Principal Chief Conservator of Forests,
Panagal Building,
Saidapet, Chennai.
- 2) The District Collector,
Theni District,
Theni.
- 3) The Regional Conservator of Forests,
Madurai Region,
Race Course Road,



4) The Wild Life Warden,
Megamalai Wild Life Forest Division,
Theni, Theni-District.

5) The Forest Ranger,
Kampam- South,
Forest Ranger Office,
Theni-District, Theni.

+1 CC to SPL.GP (SR-9135[F] dated 28/02/2020)

+1 CC to Mr.VIGNESHKUMAR, Advocate (SR-9169[F] dated 28/02/2020)

Order made in
W.P (MD) No. 4007 of 2020

Dated: **27.02.2020**

MK (18.03.2020) 3P 8C