



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.8047 of 2020

WEB COPY

Gaia Environmental Conservation PVT, Ltd.,
Through its authorized Officer,
Jose Mathew,
having registered office at Pottamkulam,
Kuttikkal Post, Kerala - 686 514.

... Petitioner

Vs.

1. The District Collector,
Collectorate Office,
Theni.

2.Forest Range Officer,
Bodinayakanur Range,
Bodinayakanur, Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to grant permission to bring Earthmovers, tractors, brush cutters, excavator/backhoe and other essential equipments to the property admeasuring 62 acres located in Survey No.62/1, 62/2, 67, 68/1, 68/2, 69, 70 and 73 of Bodi Nayackanur (North) Hilly Village of Bodinayakanaur Taluk in Theni District.

For Petitioner	: Mr.N.Ganagasapapathy
For R1	: Mrs.S.Srimathy, Special Government Pleader

O R D E R

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader appearing for the respondent.

2.The petitioner seeks permission to use heavy machinery for clearing the trees grown in the petition mentioned lands.

3.When the matter was taken up for disposal, the learned Special Government Pleader pointed out that as early as on 05.02.2020, the petitioner's request for deployment of heavy machinery has been rejected.



4.The learned counsel for the petitioner states that he has not received the said order.

5.The learned Special Government Pleader is called upon to serve the copy of the same to the petitioner immediately and without delay. The petitioner has to necessarily challenge the said order dated 05.02.2020. The Writ Petition has been filed in the nature of Writ of Mandamus. When the petitioner's request has already been rejected, the writ petition cannot be maintained. Giving liberty to the petitioner to question the aforesaid order, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

das

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The District Collector,
Collectorate Office,
Theni.
2. Forest Range Officer,
Bodinayakanur Range,
Bodinayakanur, Theni District.

+1 CC to Mr.N.GANAGASAPAPATHY, Advocate SR-17373.
+1 CC to the SPL GP SR-17408.

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(CO)
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