



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.11492 of 2019

and

W.M.P. (MD) Nos.8764 & 8765 of 2019

R.Thangam

... Petitioner

Vs.

- 1) The District Collector,
Sivagangai,
Sivagangai District.
- 2) The Divisional Forest Officer,
Sivagangai Division,
No.18, Master Plain Complex,
Sivagangai.
- 3) The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 4) The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
- 5) The Forest Ranger,
Social Forest Division,
Manamadurai,
Sivagangai District.
- 6) M.Thirupathi
- 7) S.P.P.Razeem

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for records relating to the impugned order passed by the 5th respondent in his proceeding in Na.Ka.No.55/2018/dated 23.03.2019 and quash the same and consequently direct the 5th respondent to issue fresh work order by clearly mentioning the Pula Number and extent for which the



auction was conducted and confirmed in favour of the 6th respondent by conducting enquiry thereby providing an opportunity of personal hearing to the petitioner.

For Petitioner : Mr.B.Prahalad Ravi
For RR 1 to 5 : Mrs.J.Padmavathi Devi,
Special Government Pleader
For R-6 : Mr.Karthikeya Venkatachalapathy
For R-7 : No Appearance

O R D E R

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondents 1 to 5.

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 Certiorarified Mandamus, calling for records relating to the impugned order passed by the 5th respondent in his proceedings in Na.Ka.No.55/2018/dated 23.03.2019 and quash the same and consequently direct the 5th respondent to issue fresh work order by clearly mentioning the Pula Number and extent for which the auction was conducted and confirmed in favour of the 6th respondent by conducting enquiry thereby providing an opportunity of personal hearing to the petitioner.

4. Today, when the matter was taken up, the learned counsel appearing for the petitioner would state that there was a confirmation regarding the revenue land and forest land situated in the same survey number. While so, due to heavy rains, the petitioner could not complete cutting of Seemaikaruvelam trees and has sought for extension of time by addressing the fourth respondent. The fourth respondent is also said to have responded to the same and recommended to the third respondent in Na.Ka.A10/4295/2017, dated 26.04.2018.

5. Now, the petitioner is willing to restrict his prayer only for a Mandamus, to consider his representation and pass appropriate orders in accordance with law. Challenge to the impugned notice is withdrawn by him. Therefore, the third respondent is directed to pass appropriate orders based on the recommendations of the fourth respondent dated 26.04.2018, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above observations, the writ petition stands



disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2020

Sub Assistant Registrar(CS)

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To

- 1) The District Collector,
Sivagangai, Sivagangai District.
- 2) The Divisional Forest Officer,
Sivagangai Division,
No.18, Master Plain Complex,
Sivagangai.
- 3) The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
- 4) The Tahsildar,
Ilayangudi Taluk, Sivagangai District.
- 5) The Forest Ranger,
Social Forest Division,
Manamadurai, Sivagangai District.

+1 CC to M/s.SPL.GP (SR-7530[F] dated 21/02/2020)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-7711[F] dated 21/02/2020

Order made in
W.P (MD) No.11492 of 2019
20.02.2020

JMN(11.03.2020) 3P : 8C