



WEB COPY

W.P(MD)No.14116 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.14116 of 2020

and

W.M.P(MD)No.11768 of 2020

K.Selva Kumar

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The Commissioner,
Tuticorin Corporation,
Tuticorin.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents or their men or contractors not, to cut the standing trees in the Tuticorin Town roadsides under the guise of infrastructure developmental activity by considering the representation dated 14.09.2020 of the petitioner.

For Petitioner
For Respondent
No.1
For Respondent
No.2

: Mr.S.Siva Thilakar
: Mrs.J.Padmavathi Devi,
Special Government Pleader
: Mr.Saji Bino

ORDER

[Order of the Court was made by **N.KIRUBAKARAN, J.**]

This writ petition has been filed seeking a writ of mandamus, directing the respondents not to cut the standing trees at the road sides of Tuticorin Town, under the guise of development of infrastructure, by considering the representation of the petitioner, dated 14.09.2020.

2.According to the petitioner, the Tuticorin Corporation under the guise of developing the infrastructure in Tuticorin Town, has cut down three hundred trees, when permission has been granted to cut only 64 trees. Even for cutting one tree, ten saplings have to be planted and maintained. Since the Corporation has cut down the trees indiscriminately, the petitioner made a representation, dated 14.09.2020, which has not been considered by the authorities



concerned and therefore, the petitioner has come before this Court with the aforesaid prayer.

3. Heard Mr.S.Siva Thilakar, learned Counsel appearing for the petitioner, Mrs.J.Padmavathi Devi, learned Special Government Pleader appearing for the first respondent and Mr.Saji Bino, learned Counsel appearing for the second respondent.

4. The Commissioner, Tuticorin Corporation has also appeared before this Court through video conferencing and this Court has posed questions as to the permission obtained for cutting down the trees and the actual number of trees cut. The Commissioner has submitted that the Corporation has obtained permission for cutting 260 trees, which are located in three different places, of which, in one place, they have obtained permission to cut 64 trees, which has been wrongly projected by the petitioner in this petition. He further submitted that they are uprooting the trees and re-planting the same, wherever possible and the success rate of the re-planted trees is only 30%.

5. The Commissioner also submitted that they are setting up Miyawaki Forest in two different places in Tuticorin and the project is being carried out under his direct supervision and further, he undertook that for cutting one tree, ten saplings would be planted and maintained.

6. From the submissions of the Commissioner, Tuticorin Corporation, it seems that they have obtained permission to cut down 260 trees and they are also cutting the trees by following the conditions imposed therein. Therefore, the allegations levelled in this writ petition are not substantiated.

7. In view of the above, by recording the undertaking of the Commissioner, Tuticorin Corporation, this writ petition is dismissed. No Costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dsk



To

1.The District Collector,
Tuticorin District.

2.The Commissioner,
Tuticorin Corporation,
Tuticorin.

+1 CC to M/s.S. SIVA THILAKAR, Advocate (SR-19979[F] dated
14/10/2020)

+1 CC to M/s.GP (SR-20036[F] dated 14/10/2020)

+1 CC to M/s.S. SAJI BINO, Advocate (SR-20081[F] dated 14/10/2020)

W.P (MD) No.14116 of 2020

12.10.2020

AP (29.10.2020) 3P 6C