



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.25939 of 2019

and

W.M.P (MD)No.22466 of 2019

WEB COPY

KR.Rajendran

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order made in Na.Ka.P2/7125/2019 dated 15.11.2019 on the file of the first respondent insofar as the refusal for granting extension of time and quash the same and directing the respondents to extend the lease period at least for a period of three months to cut and remove the Velikaruvela Trees stands in Kasthurimangalam Kanmaai (Survey Nos.26 & 35 to the extent of 37.60.0 Hectares) and Chinnanachi Kanmaai (Survey No.4 to the extent of 1.00.0 Hectare) of Devapattu Village Group, Karaikudi Taluk, Sivagangai District.

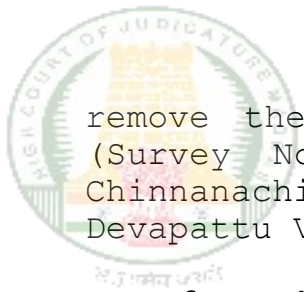
For Petitioner
For Respondents

: Mr.V.Kannan
: Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice for the respondents.

2. This Writ petition has been filed by the petitioner praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order made in Na.Ka.P2/7125/2019 dated 15.11.2019 on the file of the first respondent insofar as the refusal for granting extension of time, to quash the same and for a consequential direction, directing the respondents to extend the lease period at least for a period of three months to cut and



remove the Velikaruvela Trees stands in Kasthurimangalam Kanmaai (Survey Nos.26 & 35 to the extent of 37.60.0 Hectares) and Chinnanachi Kanmaai (Survey No.4 to the extent of 1.00.0 Hectare) of Devapattu Village Group, Karaikudi Taluk, Sivagangai District.

3. The petitioner had taken in auction the right to cut the Velikaruvela Trees (Prosopis Juliflora) worth about Rs.55,828/- from the Kasthurimangalam Kanmaai being the highest bidder. The period of lease was from 16.04.2018 to 10.05.2018. Earlier also, the petitioner had requested for extension of time by a representation dated 12.11.2018. But, no order was passed. Hence, he filed W.P(MD) No.4301 of 2019 for extension of lease at least for a period of three months to cut and remove the Velikaruvela Trees. The said writ petition was rejected. Once again, the petitioner filed W.P (MD)No.7264 of 2019 seeking for a direction from this Court to extend the lease period, in which, this Court directed the District Collector to pass orders within a period of two weeks from the date of receipt of a copy of the order. The District Collector had granted permission for fifteen days to cut and remove the trees. Again, W.P(MD)Nos.16383 and 19852 of 2019 were filed by the petitioner, wherein this Court directed the petitioner to approach the District Collector to get orders with respect to extension of lease period. However, the said request of the petitioner was rejected by the first respondent vide order dated 15.11.2019, which is impugned in this writ petition.

4. The learned Special Government Pleader upon instructions states that time for removal of Velikaruvela Trees in the above said Kanmaai is over and there is nothing more for them to remove and therefore, the extension cannot be sought for, which is rightly rejected.

5. The learned counsel for the petitioner also admits that the time originally given is over and therefore, the extension of lease is rejected.

6. In view of the above, the relief sought for by the petitioner cannot be granted and therefore, the writ petition is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

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/ /2020

Sub Assistant Registrar(CS)



1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

+1 CC to Mr.V.KANNAN, Advocate (SR-7111[F] dated 19/02/2020)

+1 CC to SPL.GP (SR-7280[F] dated 20/02/2020)

W.P (MD) No.25939 of 2019

19.02.2020

VB (02.03.2020) 3P 6C