

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.3.2021

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.No.6160 of 2021

1. A.Selvaraj

2. A.Thirumurthy

... Petitioners

vs.

1. The Principal Chief Conservator,
of Forests,
Panagal Maligai, Saidapet,
Chennai 600 015.

2. The District Collector,
Coimbatore.

3. The District Forest Officer,
Coimbatore.

4. The Local Planning Authority,
(Competent Authority under HACA),
District Town Country Planning,
Dr.Nanjappa Road,
Coimbatore 641 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to forward his remarks on the petitioner's application dated 9.12.2020 to the fourth respondent to enable him to place it before the second respondent within a time frame.

For Petitioner : Mr.T.N.Rajagopalan

For RR1 & 3 : Mr.S.Prabhu, AGP (Forest)

ORDER

The petitioners, in order to develop their lands at Perur Chettipalayam Village in Perur Taluk of Coimbatore District into a lay out, made a proposal to the respective respondents.

2. In the said process for regularization of the unapproved layout in hill areas, certain clearances had to be obtained from various Departments and according to the learned counsel for the petitioner clearance from all other authorities excepting the Principal Chief Conservator of Forests have been obtained and finding some difficulty in obtaining clearance from the first respondent, Principal Chief Conservator of Forests, the present writ petition has been filed by the petitioner.

3. Mr.Prabhu, learned Additional Government Pleader who takes notice for respondents 1 and 3 has produced the instructions which he received from the District Forest Officer, Coimbatore that the petitioner's Application has been processed by the District Forest Officer and forwarded to the Principal Chief Conservator of Forests and in turn, the Principal Chief Conservator of Forests, has called for the following details in his letter No.TS4/4943/2021 dated 15.2.2021:-

(i) Patta copy - Land ownership details in Form 10(1) issued by the Revenue Department for Survey No.364/2A3 Perur Chettipalayam Village.

(ii) Village A-Register extract for Survey No.364/2A3 Perur Chettipalayam Village, Perur Taluk, Coimbatore District.

4. It is further contended therein that upon receipt of the documents from the petitioner, the said application will be processed within a reasonable period and No Objection Certificate would be issued by the Principal Chief Conservator of Forest.

5. Mr.T.N.Rajagopalan, learned counsel for the petitioners submits that he has already furnished the above two documents alongwith his Application to the District Forest Officer, Coimbatore and it is also filed alongwith typed set of papers in the present writ petition. The learned Additional Government Pleader has also confirmed that the required documents have been furnished by the petitioner.

6. In view of the same, this court disposes this writ petition with a direction to the first respondent Principal Conservator of Forest to process the Application of the petitioner within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssk.
To

1. The Principal Chief Conservator,
of Forests,
Panagal Maligai, Saidapet,
Chennai 600 015.
2. The District Collector,
Coimbatore.
3. The District Forest Officer,
Coimbatore.
4. The Local Planning Authority,
(Competent Authority under HACA),
District Town Country Planning,
Dr.Nanjappa Road,
Coimbatore 641 018.

+1cc to Mr.T.N.Rajagopalan, Advocate Sr.16151
+1cc to the Special Government Pleader Sr.16488

WEB COPY

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srg 30/03/2021