



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. NOS.18194, 18197, 18200, 18202 AND 18207 OF 2021
AND
WMP.NOS.19431, 19435, 19437, 19420, 19421, 19425, 19426,
19428, 19429 AND 19430 OF 2021

Kamalam	...Petitioner in W.P.No.18194 of 2021
Jeganathan	...Petitioner in W.P.No.18197 of 2021
Kanagaraj	...Petitioner in W.P.No.18200 of 2021
M.Royavel	...Petitioner in W.P.No.18202 of 2021
Chellammal	...Petitioner in W.P.No.18207 of 2021

Versus

1.The District Collector,
Nilgiris District,
Collector Office,
Near Charring Cross,
Udhagamandalam,
Tamil Nadu 643 001.

2.The Tahsildar,
Nilgiris District,
Udhagamandalam,
Tamil Nadu - 643 001.

3.The Forest Ranger,
Bikkara Range,
Bikkara, Udhagai Taluk,
The Nilgiris District.

...Respondents in all the petitions

COMMON PRAYER : Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus to call for the records of the third respondent pertaining to the impugned Eviction Notice issued, vide letter No.Na.Ka.No.47/2021, dated 14.07.2021 and to quash the same as



ultravires, and by directing the first respondent to take necessary action and to conduct a detailed enquiry with regard to the alleged encroachment made in the Survey Feild No.594 situate at T.R.Lease, T.R.Bazar hamlet situated within the Naduvattam Town Panchayat at Gudalur Taluk.

For petitioner : Mr.M.Velmurugan
(in all the petitions)

For respondents
(in all the petitions)

for RR1 & 2 : Mr.K.V.Sajeev Kumar
for R3 : Mr.T.Sreenivasan

COMMON ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

These Writ Petitions are heard through video conferencing.

2. These Writ Petitions have been filed challenging the notice issued by the third respondent dated 14.07.2021.

3. It is the submission of the learned counsel appearing for the petitioners Mr.M.Velmurugan that for initiating action under Section 68-A of the Tamil Nadu Forest Act, 1882, Rule 2 of the Rules framed under the Act, mandates granting of 15 days time, but in the impugned notice only 7 days period is given.

4. The learned Special Government Pleader appearing for the third respondent Mr.T.Sreenivasan would state that fresh notices have been issued in compliance with the said Rule. The present notices have been produced before this Court for perusal.

5. It appears that the notices which are challenged in these Writ Petitions were withdrawn and fresh notices have been issued in compliance with the provisions of the Act. Hence, we are of the opinion that the prayer sought in these Writ Petitions has become infructuous. Accordingly, these Writ Petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

pvs



To

1.The District Collector,
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Near Charring Cross,
Udhagamandalam,
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2.The Tahsildar,
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3.The Forest Ranger,
Bikkara Range,
Bikkara, Udhagai Taluk,
The Nilgiris District.

+5ccs to Special Government Pleader (Forest) SR.Nos.64680,
64679, 64678, 64677, 64676

W.P. No.18194, 18197, 18200, 18202
and 18207 of 2021

PM(CO)
RVM(10/01/2022)