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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. Nos.19910, 19912 & 19914 of 2021

C.Chandrasekaran

...Petitioner in W.P.Nos.19910 & 19912 of 2021

Abdul Nazeer

...Petitioner in W.P.No.19914 of 2021

-Vs-

1.The District Forest Officer.

The Nilgris Division, The Nilgris,
The Nilgris District.

2.The Forest Range Officer,

Kothagiri,
The Nilgris District.

3.The Forest Range Officer,

Coonoor,
The Nilgris District.

...Respondents in W.P.No.19910 of 2021

1.The District Forest Officer.

The Nilgris Division,
The Nilgris District at Ooty.

2.The Forest Range Officer,

Kothagiri, The Nilgris District.

...Respondents in W.P.Nos.19912 & 19914 of 2021

Prayer in W.P.No.19910 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to release the Silver Oak tress seized from Lorry bearing Registration Nos.TN-43-6325, TN-43-B-2460, TN-43-C-3348 and TN-54-E-8093 by the 2nd respondent on 30.08.2021 to the petitioner.

Prayer in W.P.No.19912 & 19914 of 2021: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to release Lorry



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bearing Registration No.TN-43-6325 and TN-43-B-2460 respectively, seized by the 2nd respondent on 30.08.2021 to the petitioner.

For Petitioners : Mr.C.Prakasam
in all W.Ps

For Respondents : Mr.U.Baranidharan
in all W.Ps Government Advocate

O R D E R

The issue involved in all the three writ petitions pertains to the allegation made by the petitioner to the effect that two lorries and silver oak trees being seized by the respondents. Therefore, the petitioner has sought for the release of the same.

2.The 1st respondent had filed counter affidavit in all the three writ petitions and apart from dealing with the merits of the claim made by the petitioner, has taken a stand that the respondents did not seize any vehicles from the petitioner. In view of the same, the claim made by the petitioner may not be gone into.

3.The learned Government Counsel submitted that the petitioner is not entitled to transport the silver oak trees from Nilgris to Coimbatore. When this was pointed out to the petitioner, they abandoned the vehicle and went away. Therefore, if at all the petitioner wants to move the vehicle with the silver oak trees outside Nilgris, they have to take appropriate permission, failing which, the vehicles will not be permitted to move out of Nilgris. That apart, it must also be seen as to whether any permission was obtained for the purpose of cutting the silver oak trees. Therefore, it will be more appropriate if the petitioner transports back the silver oak trees and unload from the place where it was cut. Thereafter, the right as to whether the silver oak trees can be cut even without permission, can be gone into before the concerned authorities.

4.In view of the specific stand taken by the respondents, the same is recorded and all these writ petitions are disposed of accordingly. No Costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



ssr

To

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1.The District Forest Officer.
The Nilgris Division, The Nilgris,
The Nilgris District.

2.The Forest Range Officer,
Kothagiri,
The Nilgris District.

3.The Forest Range Officer,
Coonoor,
The Nilgris District.

+lcc to the Government pleaderSr.51552, 51553
+lcc to the Special Government Pleader Sr.51402, 51403
3cc to Mr.C.Prakasam, Advocate Sr.51444, 51445, 51446

W.P. Nos.19910, 19912 & 19914 of 2021

sra[co]
srg 26/10/2021