

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.2.2021

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.NO.20029 OF 2020

M/s.Visalam Timbers,
rep. by its Partner Bharathi,
Yercaud Road,
Kondappanaickanpatty,
Salem.

.... Petitioner

vs.

1. The District Forest Committee,
Rep. by Chairman and District Collector,
Salem.
2. The District Forest Officer,
Salem Division, Salem.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd respondent to issue cutting order in the name of the petitioner to cut and transport the Silver Oak trees from the land comprised in Survey No.7/1 of Chencaud Village, Yercaud Taluk, Salem District pursuant to the order of the 1st respondent passed in D.Dis 31362/2019/P1 dated 22.6.2020 without insisting certificate from the Village Administrative Officer.

For Petitioner : Mr.P.Suresh Babu

For R1 : Mr.Annai Ezhil,
Government Advocate

ORDER

The petitioner, a firm engaged in purchasing and selling of various kinds of timbers in and around Salem District and during the course of its business, the petitioner firm had purchased 501 Silver Oak Trees standing in the Coffee Estate of its owner one Mr.K.R.Sundaram, who had also obtained permission from the first respondent for cutting and removal of the trees. On such purchase, the petitioner firm had moved the second respondent seeking permission for them to cut and remove such trees in the capacity of purchaser of such trees. Since the second respondent

had insisted for a certificate from the Village Administrative Officer in this regard, the petitioner has filed the present writ petition.

2. According to the petitioner, the Village Administrative Officer has no role to play in the matter of cutting and removal of the trees permitted by the first respondent.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submits that the petitioner had been permitted to cut and remove the trees and hence, the matter becomes infructuous.

4. However, Mr. Annai Ezhil, learned Additional Government Pleader, has filed a report submitted by the District Collector, Salem, dated 29.1.2021 which reveals that the Authorities are insisting for such certificates from the Village Administrative Officers to vouch the genuineness of the activities of cutting and removal of the trees in hilly areas and certainly, the role of Village Administrative Officer is necessary to prevent any illegal or unauthorised cutting and removal of trees.

5. However, in view of the recent development in the matter that the petitioner had been permitted to cut and remove the trees, the prayer in the writ petition has become infructuous and accordingly, it is closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. The District Forest Committee,
rep. by Chairman and District Collector, Salem.
2. The District Forest Officer,
Salem Division, Salem.

+1cc to the Government Pleader, S.R.No.7847

W.P.No.20029 of 2020

AAB(CO)
CS/12/03/2021