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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2021

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NOS.10044 & 10045 OF 2017

AND

W.M.P.NOS.11039, 11040, 11041 & 11042 OF 2017

G.Raja ... Petitioner in W.P.No.10044/2017

R.Balasundaram ... Petitioner in W.P.No.10045/2017

..Vs..

1. State by Principal Secretary to Government
Environment & Forest Department,
Secretariat, St.Fort George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram. ...Respondents 1 & 2 in both WPs.
3. The Tahsildar,
Pallavaram Taluk,
Kancheepuram District.
4. The Revenue Inspector,
Pammal Firka,
Pallavaram Taluk,
Kancheepuram District. ... Respondents 3 & 4 in WP.No.10044/2017
3. The Tahsildar,
Alandur Taluk,
Kancheepuram District.
4. The Revenue Inspector,
Kolapakkam Firka,
Alandur Taluk,
Kancheepuram District. ... Respondents 3 & 4 in WP.No.10045/2017



PRAYER in W.P.No.10044/2017:

Writ Petition is filed under Article 226 of Constitution of India, praying to issue a writ of certiorarified mandamus, to call for the records relating to the impugned notices dated 14.03.2017, issued by the 4th respondent and quash the same and consequently direct the respondents to conduct scientific study on ill effects of Prosopis Juliflora in the State of Tamil Nadu.

PRAYER in W.P.No.10045/2017:

Writ Petition is filed under Article 226 of Constitution of India, praying to issue a writ of certiorarified mandamus, to call for the records relating to the impugned notices dated 17.03.2017 issued by the 3rd respondent and quash the same and consequently direct the respondents to conduct scientific study on ill effects of Prosopis Juliflora in the State of Tamil Nadu.

For Petitioners : M/s.A.Swaminathan

For Respondents : Mr.V.Nanmaran,
Government Advocate for R1
Mr.K.M.D.Muhilan,
Government Advocate
for R2 to R4

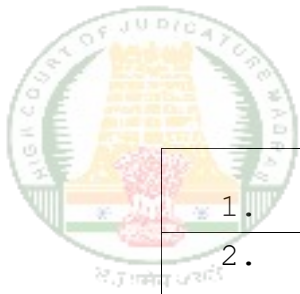
..in both WPs.

COMMON ORDER

These writ petitions have been filed challenging the impugned notices and consequently to direct the respondents to conduct scientific study on ill effects of Prosopis Juliflora in the State of Tamil Nadu.

2. Similar set of writ petitions have been filed before this Court and the Hon'ble First Bench of this Court has passed order in W.P.No.10614 of 2017, wherein, the Hon'ble Bench has appointed Expert Committee and the relevant portion of the order is extracted hereunder:

"5.It is brought to our notice that the Government has constituted a Committee to undertake a comprehensive study on Seemai Karuvelam trees with regard to its ill-effects on environment as well as its utility. The Committee comprises the following members:

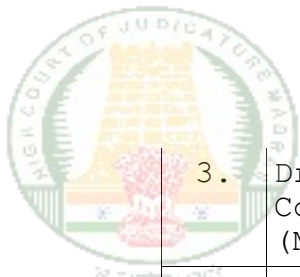


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1.	Principal Chief Conservator of Forests (Research), Chennai	Chairman
2.	Professor and Head (Agro Forestry) Forest College and Research Institute, Tamil Nadu Agricultural University, Coimbatore	Member
3.	Dr.V.Sankaran, Head of Agronomy Department, Madras Veterinary College, Vepery, Chennai.	Member
4.	Engineer-in-Chief, Water Resource Department, Public Works Department, Chennai - 5.	Member
5.	Tmt.Keranappuch Joseph, Joint Secretary to Government, Law Department, Secretariat, Chennai - 9.	Member
6.	Deputy Director (Plant Protection), O/o.Director of Agriculture, Chennai - 5.	Member
7.	Tmt.Soba Menon, Founder and Managing Trustee, Nizhal (NGO), Chennai	Member
8.	Chief Conservator of Forests (Publicity), O/o.Principal Chief Conservator of Forests (Head of Forest Force), Chennai.	Member-Secretary

6.By consent of Mr.Mohan, learned counsel for the petitioner; Mr.V.Ayyadurai, learned Additional Advocate General (assisted by Mr.M.K.Subramanian, learned Government Pleader) appearing for respondents 1 to 4; Mr.Menon Karthik Mukundan, learned counsel appearing for the 5th respondent/Director, Indian Institute of Technology, Chennai, and Mr.P.Vijendran, learned counsel appearing for the 6th respondent, we deem it appropriate to expand the Committee by including the following experts suggested by the petitioner:

1.	Dr.Murugavel, Head, Department of Humanities & Social Sciences, Sri Venkateswara College of Engineering, Sriperumbudur. (Mobile No.98848-22393)
2.	Dr.Susy Vergese, Professor, Chennai Engineering, IIT, Madras. (Mobile No.94442-89172)



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3.	Dr.Narashiman, Department of Botany, Madras Christian College. (Mobile No.98405-31967)
4.	Dr.V.A.Parthasarathy, Former Director (Retd.), Indian Institute of Spice Research, Kozhikode. (Mobile No.94471-73162).

3. The prayer sought for in these writ petitions is only for the appointment of Expert Committee to conduct scientific study on ill effects of Prosopis Juliflora in the State of Tamil Nadu. Since, in the earlier order, the Experts Committee have been constituted by the Hon'ble First Bench, to conduct scientific study on ill effects of Prosopis Juliflora, this Court is of the view that there is no need to appoint any Expert Committee once again. The order passed by the First Bench will bind the respondent herein also. Hence, no further orders are required in the present cases.

4. Accordingly, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Principal Secretary to Government
Environment & Forest Department,
Secretariat, St.Fort George,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Tahsildar,
Pallavaram Taluk,
Kancheepuram District.
4. The Revenue Inspector,
Pammal Firka,
Pallavaram Taluk,
Kancheepuram District.



5. The Tahsildar,
Alandur Taluk,
Kancheepuram District.

6. The Revenue Inspector,
Kolapakkam Firka,
Alandur Taluk,
Kancheepuram District.

+1cc to the Special Government Pleader (Forest),
S.R.No.58073,58072

+1cc to the Government Pleader, S.R.No.58017

W.P.Nos.10044 & 10045 of 2017
and
W.M.P.Nos.11039, 11040, 11041 & 11042 of 2017

BR(CO)
PM/29/11/2021

09.11.2021