



WEB COPY

WP(MD).No.16390

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]Nos.16390 to 16394 of 2012

and

M.P.[MD]Nos.1,1,1,1,1 of 2012

Rengasamy	... Petitioner in W.P(MD).No.16390 of 2012
T.Chellam	... Petitioner in W.P(MD).No.16391 of 2012
Lakshmanan	... Petitioner in W.P(MD).No.16392 of 2012
G.Veerappan	... Petitioner in W.P(MD).No.16393 of 2012
R.Murugesan	... Petitioner in W.P(MD).No.16394 of 2012

Vs.

1.The District Collector,
Pudukottai District.

2. The Regional Manager,
TAFCON,
Manjuvadi, Thanjavur Road,
Pudukottai District.

3. The Forest Ranger,
TAFCON,
Kantharvakottai Range,
Aathanakottai Post,
Perunkalur Via,
Pudukottai Taluk,
Pudukottai District.

4. The Tahsildar,
Pudukottai Taluk,
Pudukottai District.

... Respondents in all Writ Petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writs of Mandamus, forbearing the respondents to interfere the peaceful possession of the petitioner house property situated in Old Survey No.251-1, New No.337-12, Nerunjpatti, Varappur Post, Pudukottai Taluk, Pudukottai District.

For Petitioner

: Mr.S.A.Ajmal Khan

For Respondents

: Mr.A.K.Manickam

Standing Counsel for Govt.

[In all Writ Petitions]



COMMON ORDER

[Common Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.A.Ajmal Khan, learned Counsel appearing for the petitioner and Mr.A.K.Manickam, learned Standing Counsel for Government appearing for the respondents 1 to 4.

2.The petitioners in these Writ Petitions challenge the notices issued under Section 68-A of the Tamil Nadu Forest Act, 1882. When the writ petitions were admitted on 18.12.2012, it was satisfied that without opportunity, the eviction order has been passed. Therefore, an order of stay was granted. The order of stay has been in force since then till today and no counter affidavit has been filed by the respondents.

3.We are fully satisfied that the impugned notices are in violation of principles of natural justice. Therefore, the impugned notices are quashed and the respondents are directed to issue show cause notices to the petitioners, hear their objections and peruse the documents that they may produce and thereafter pass a speaking order.

4.Accordingly, these Writ Petitions stand allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

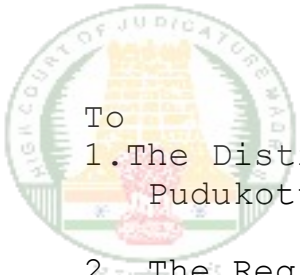
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/ /2021

Sub Assistant Registrar(CS)

MR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Collector,
Pudukottai District.

2. The Regional Manager,
TAFCON,
Manjuvadi,
Thanjavur Road,
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Pudukottai District.

4. The Tahsildar,
Pudukottai Taluk,
Pudukottai District.

+1 CC to SPL GP (SR-21033[F] dated 02/07/2021)

COMMON ORDER MADE IN
W.P. [MD] Nos. 16390 to 16394 of 2012
30.06.2021

KM(08.07.2021) 3P 6C