



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND**

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.5769 of 2021

and

WMP(MD) No.4542 of 2021

(Through Video Conferencing)

Thiagarajan : Petitioner
Vs.

1.The District Collector
Office of the District Collector
Pudukottai District.

2.The Tahsildar,
Iluppur Taluk office,
Pudukottai District.

3.V.Muthaiah : Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents 1 to 3 not to cut and remove the tamarind trees standing in the property comprised in S.No.57/67 situated at Ariyoor Alagapuri, Iluppur, Mathianallur Post, Pudukottai District on the basis of the petitioner's representation dated 10.02.2021.

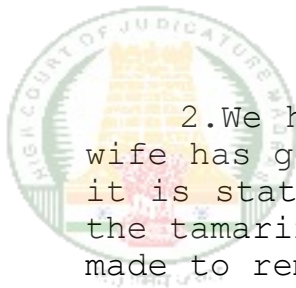
For Petitioner : Mr.B.Jameelarasu

For Respondents : Mr.K.P.Krishnadoss
R1 and R2 Special Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner has come forward to file this writ petition directing the respondents 1 to 3 not to cut and remove the tamarind trees standing in S.No.57/67 at Ariyoor Alagapuri, Iluppur, Mathianallur post, Pudukottai District in pursuant to the representation made.



2.We have perused the representation. Though the petitioner's wife has got a patta and the petitioner has been given a free house, it is stated by the petitioner that he is enjoying the usufructs of the tamarind tree for quite number of years. As an attempt is being made to remove it, the same will have to be prevented.

3.It is a Public Interest Litigation, which has been filed before us. The petitioner seeks to prevent the respondents from removing the trees, which he claims to be in possession. Admittedly, there is no 2C patta in favour of the petitioner. Therefore, as on today, he does not have any legal right. In such view of the matter, we do not find any reason to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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
Office of the District Collector
Pudukottai District.

2.The Tahsildar,
Iluppur Taluk office,
Pudukottai District.

+1 CC to SPL GP (SR-11595[F] dated 16/03/2021)

Order made in
W.P. (MD)No.5769 of 2021
Dated: 15.03.2021

KM (26.03.2021) 2P 4C