



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.10843 of 2021

and W.M.P.(MD).No.8478 of 2021

V.K.P.Ganapathi

... Petitioner

Vs.

1.The Additional Chief Conservator of Forest,
Racecourse Road,
Madurai - 2.

2.The District Forest Officer,
Racecourse Road,
Madurai - 2.

3.The Forest Range Officer,
Usilampatti Range,
Usilampatti,
Madurai District.

4.V.Perumal

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the 2nd respondent in Se.Mu.A.No.4374/2019/A3, dated 23.04.2021 and quash the same as illegal and arbitrary and consequently direct the respondents 1 to 3 not to grant further time to the 4th respondent to cut and remove the karuvelam trees in Vaalandur Kanmoi, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.K.C.Ramalingam

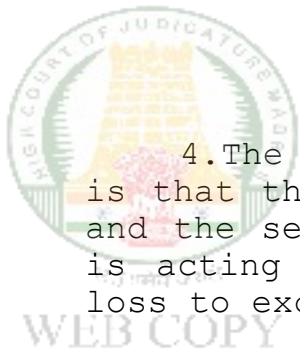
For Respondents : Mr.M.Lingadurai for R1 to R3
Government Advocate

ORDER

The subject matter of challenge in the present writ petition is the impugned proceedings of the second respondent, dated 23.04.2021, wherein, the second respondent has permitted the fourth respondent to continue with the removal of the Nattu karuvelam trees even beyond his licence period, up to 30.06.2021.

2.Heard Mr.K.C.Ramalingam, learned counsel for the petitioner and MR.M.Lingadurai, learned Government Advocate, for the respondents 1 to 3.

3.In the considered view of this Court, the extension of time that was granted by the second respondent to cut and remove the Karuvelam trees comes to an end today. Therefore, no useful purpose will be served in passing any orders on the impugned proceedings of the fourth respondent issued in favour of the fourth respondent.



4.The main grievance that has been expressed by the petitioner is that the fourth respondent is taking advantage of the situation and the second respondent instead of calling for a public auction, is acting in favour of the fourth respondent and thereby causing loss to exchequer.

5.It is made clear that the second respondent shall not grant any further extension of the licence period to the fourth respondent. The respondents are directed to issue an Auction-cum-Tender notification and call for bids and thereafter, issue licence for maintaining the Valandur Kanmaai and for the removal of the Nattu Karuvelam trees. This clarification will sufficiently safeguard the apprehension that has been raised by the petitioner.

6.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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 Additional Chief Conservator of Forest,
Racecourse Road,
Madurai - 2.

2.The District Forest Officer,
Racecourse Road,
Madurai - 2.

3.The Forest Range Officer,
Usilampatti Range,
Usilampatti,
Madurai District.

+1 CC to M/s.SPL GP (SR-20900[F] dated 01/07/2021)

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30.06.2021

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