



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

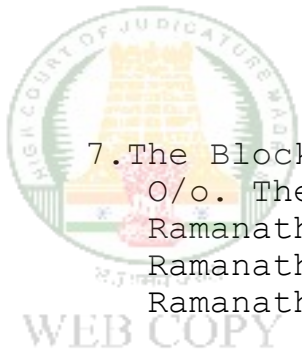
W.P. (MD) No.6041 of 2019

and W.M.P. (MD) Nos.4826 and 17634 of 2019

Syed Ammal Trust,
Rep. by its Managing Trustee Dr.Babu Abdullah,
123, Sigil Raja Street,
Ramanathapuram - 623 501. ... Petitioner

Vs

- 1.The District Collector,
O/o. The District Collector Office,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Ramanathapuram District,
Ramanathapuram.
- 3.The Divisional Engineer,
National Highways Department,
Lathems Bungalow Road, GH Road,
Ramanathapuram.
- 4.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.
- 5.The Tahsildar,
O/o. The Tahsildar Office,
Ramanathapuram,
Ramanathapuram District.
- 6.The Block Development Officer,
O/o. The Block Development Office,
Mandapam Panchayat Union,
Ramanathapuram,
Ramanathapuram District.



7.The Block Development Officer,
O/o. The Block Development Office,
Ramanathapuram Panchayat Union,
Ramanathapuram,
Ramanathapuram District.

8.M/s.V.M. & Co.,
Represented by its Principal Partner V.Manoharan,
S/o.N.Veluchamy,
No.94-E, Velumanickam Complex,
Swamy Vivekanandar Salai,
Ramanathapuram District.

... Respondents

(R8 impleaded vide order dated 27.07.2021
made in W.M.P.(MD) No.22106 of 2019 by
TSSJ & SAIJ)

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, forbearing the respondents from uprooting/cutting the age old trees standing in the side of the NH 49 passing through Atchuthanvayal to Pattinamkaathan in Ramanathapuram District under the guise of widening the road.

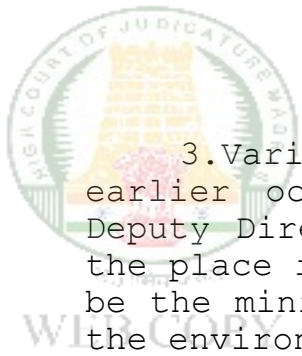
For Petitioner	: Mr.Mohammed Imran for M/s.Ajmal Associates
For Respondents	: Mr.R.Baskaran, Standing Counsel for Government For R1, R2 and R5 to R7 Mr.C.Arulvadivel @ Sekar, Standing Counsel for R3 Mr.M.Kannan, Standing Counsel for R4 Mr.Raja Kathikeyan for R8

O R D E R

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

Heard Mr.Mohammed Imran, learned counsel for the petitioner, Mr.R.Baskaran, learned Standing Counsel for Government, appearing for respondent Nos.1, 2 and 5 to 7, Mr.C.Arulvadivel @ Sekar, learned Standing Counsel for respondent No.3 and Mr.M.Kannan, learned counsel for respondent No.4.

2.This Writ Petition has been filed to forbear the respondents from uprooting/cutting the age old trees standing on the side of the NH 49 passing through Atchuthanvayal to Pattinamkaathan in Ramanathapuram District.



3. Various interim directions have been issued by this Court on earlier occasions and ultimately on 16.07.2019, we directed the Deputy Director, Horticulture Department, Ramanathapuram to inspect the place in question to examine and submit a report as to what will be the minimum number of trees that can be cut and removed, so that the environment can be protected.

4. In the Joint Inspection, the petitioner trust's representatives were present and other officials have also been present. The report has been communicated to the learned Government Counsel by communication dated 26.07.2021, which states that 14 number of trees have been recommended for removal to ensure the safety of the road users. The said communication is placed on record. The learned counsel for the petitioner would submit that already few trees have been removed. The said submission is also placed on record.

5. In view of the above, the Writ Petition stands disposed of permitting the authorities to remove only the fourteen number of trees, which have been mentioned in the communication dated 26.07.2021. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

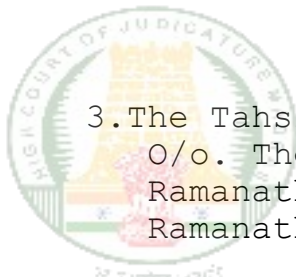
sj

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,
O/o. The District Collector Office,
Ramanathapuram District,
Ramanathapuram.

2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Ramanathapuram District,
Ramanathapuram.



- 3.The Tahsildar,
O/o. The Tahsildar Office,
Ramanathapuram,
Ramanathapuram District.
- 4.The Block Development Officer,
O/o. The Block Development Office,
Mandapam Panchayat Union,
Ramanathapuram,
Ramanathapuram District.
- 5.The Block Development Officer,
O/o. The Block Development Office,
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6. The Divisional Engineer,
National Highways Department,
Lathems Bungalow Road, GH Road,
Ramanathapuram.
- 7.The Commissioner,
Ramanathapuram Municipality,
Ramanathapuram,
Ramanathapuram District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-24130[F] dated 28/07/2021
)

W.P. (MD) No.6041 of 2019
27.07.2021

VR (CO)

LR (05.08.2021) 4P 9C