



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26759 of 2019

Alhakkim

... Petitioner

Vs.

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Conservator of Forest,
Tirunelveli Circle,
Tirunelveli,
Tirunelveli District.

3.The District Forest Officer,
Tirunelveli District,
Tirunelveli.

4.The Forest Ranger,
Range Office,
Kadayanallur,
Kadayanallur Taluk,
Erstwhile Tirunelveli District,
Presently Tenkasi District.

5.The Principal Chief Conservator of Forest,
Panagalmaligai,
Saithapet,
Chennai -15.

6.The Chief Conservation of Forest,
Tirunelveli,
Tirunelveli District.

... Respondents

*(R5 and R6 are impleaded vide order dated
15.02.2021 in W.M.P.(MD)No.2328 of 2021 in
W.P. (MD)No.26759 of 2019)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant necessary cutting order and permit to transport the Subabul Tree numbering 30, Unnu Tree numbering 44, Teak Tree numbering 29, Vaagai Tree numbering 1, Vengai Tree numbering 1, Maruthu Tree numbering 2 on the petitioner's land of 2 Acres 90 cents comprised in Survey No.8/1B, situated at Mekkarai Village, Sengottai Taluk, Erstwhile Tirunelveli District presently Tenkasi District on the basis of representation dated 24.10.2019 and 10.12.2019.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioner : Mr.T.Indrachithu
For Respondents : Mrs.M.Rajeswari,
Government Advocate.

ORDER

WEB COPY

Heard the learned counsel on either side.

2.The petitioner has submitted an application on 24.10.2019, seeking permission to cut the petition mentioned trees. Since no response was forthcoming, the present writ petition came to be filed.

3.When the matter was taken up for disposal on the last occasion, it was submitted that order has to be passed only by the Principal Chief Conservator of Forest, Chennai. Since the petitioner's application has been pending for more than two years, the fifth respondent herein, who is the jurisdictional authority is directed to pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. It is entirely for the concerned authority to take a decision in the matter.

4.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Tenkasi District,
Tenkasi.

2.The Conservator of Forest,
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Tirunelveli,
Tirunelveli District.



3.The District Forest Officer,
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W.P (MD) No.26759 of 2019
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NS (CO)
KB (22.03.2021) 3P 7C