



W.P.No.26336 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.26336 of 2022
and
W.M.P.No.25414 of 2022

1. Mani
2. Perumal
3. Govindasamy
4. Govindasamy
5. Mayil
6. Lakshmanan
7. K. Sundaresan
8. Murugan
9. Perumal
- 10.Muthu
- 11.Kedi Perumal
- 12.Venkatraman



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13.Duraisamy

14.Kuppusamy

15.Perumal

16.Govindan

17.Periyasamy

18.Umaiyan

19.Tirupathi

20.Venkatasamy

21.Murugan

22.Mani

23.Kaveri

24.Govindasamy

25.Sennammal

26.Gundumani

27.C.Sivakumar

28.Sekar

29.Gundan

30.Raja

31.Settu



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32.Madhu

33.Kandasamy

34.Chinnadurai

35.Perumal

36.Perumal

37.Murugan

38.Chinna Perumal

39.Rami

40.Rani

41.Kavitha

42.Murugan

43.Chandran

44.Jaiah

45.Perumal

46.L.Perumal

47.Lakshmanan

48.Thirupathi

49.Govindaraj

50.Perumal



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51.Venkatajalapathy

52.Thangaperumal

53.L.Perumal

54.Muttiperumal

55.Mukkasamy

56.Chinnamukkan

57.Govindasamy

58.Ganesan

59.Muniyappan

60.Ramachandran

61.Saravanan

62.Muniyappan

63.Ramasamy

64.Krishnan

65.Murugan

66.Muniyammal

67.Subramani

68.Saroja

69.Lakshmanan



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70.L.Velmurugan

Vs.

...Petitioners

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- 1.The State of Tamil Nadu represented by its
Principal Secretary to Government,
Environment, Climate Change and Forest Department,
Secretariat, Chennai -600 009
 - 2.The Principal Chief conservator of Forests,
Panagal Maaligai,1,Jennis Road, Saidapet, Chennai – 600 015.
 3. The Collector,
Krishnagiri District, Krishnagiri
 4. The Forest Settlement Officer, Krishnagiri
 5. The District Forest Officer,
Mathigiri, Hosur, Krishnagiri District.
 6. The Revenue Divisional Officer,
Krishnagiri.
 7. The Forest Ranger, Rayakottah,
Krishnagiri District.
 8. The Settlement Tahsildar,
Krishnagiri Taluk, Krishnagiri.
 9. The Revenue Tahsildar,
Krishnagiri Taluk, Krishnagiri
- ...Respondents.

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to implement the proceedings of the 4th respondent in proceedings No.239/79 dated 20.06.2006 and issue patta to the petitioners for their respective occupation based upon the



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representation of the petitioners dated 12.09.2022 and pass orders.

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For Petitioner : Mr.S. Doraisamy

For Respondents : Mr.U. Bharanidharan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to implement the proceedings of the 4th respondent in proceedings No.239/79 dated 20.06.2006 and issue patta to the petitioners for their respective occupation based upon the representation of the petitioners dated 12.09.2022.

2. The learned Additional Government Pleader takes notice for the official respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The learned counsel for the petitioners submitted that the petitioners and their predecessors were in enjoyment and possession of the subject land for more than 8 decades. They are provided with all the basic amenities by the Government such as drinking water, electricity etc.,



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While so the Collector, Dharmapuri passed an order classifying the subject lands as reserved forest land for which there was an objection by the concerned persons and the Forest Settlement Officer conducted an enquiry under section 8 and 10 of the Tamil Nadu Forest Act, 1982 and action was taken to convert the subject lands as reserved forest. Thereafter the Settlement officer conducted a field verification and found that the occupants of the subject land converted the unusable lands into cultivable one. Finally the Forest Settlement officer vide proceedings No.239/79 dated 20.06.2006 concluded that even though the subject lands are promboke lands it may be regularized and patta can be granted to the occupants as per Section 16 and 16(2) of the Forest Act. Hence the petitioners made several representation to the respondents to implement the proceedings No.239/79 dated 20.06.2006 and finally the petitioners gave a representation on 12.09.2022. However, till date no orders have been passed. Hence, this writ petition is filed with the aforesaid prayer.

4. The learned counsel appearing for the petitioners submitted that the it would suffice, if this Court issues direction to the respondent to consider the petitioners representation dated 12.09.2022 and pass



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appropriate orders within a reasonable time fixed by this Court.

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5. The learned Additional Government Pleader appearing on behalf of the respondent submitted that the petitioners representation dated 12.09.2022 will be considered on merits and in accordance with law within a reasonable time fixed by this Court.

6. Considering the limited request made by the petitioner, this Court is inclined to direct the 3rd and 4th respondents to consider the petitioner's representation dated 12.09.2022 if there is legal impediment and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

7. With the above terms, this present writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Speaking Order : Yes/ No
Index : Yes/ No



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To

1. The State of Tamil Nadu represented by its
Principal Secretary to Government,
Environment, Climate Change and Forest Department,
Secretariat, Chennai -600 009
2. The Principal Chief conservator of Forests,
Panagal Maaligai, 1, Jennis Road, Saidapet, Chennai – 600 015.
3. The Collector,
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Krishnagiri Taluk, Krishnagiri.
9. The Revenue Tahsildar,
Krishnagiri Taluk, Krishnagiri



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M.DHANDAPANI,J.

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