



W.P. (MD).No.5456 of 2017 & WMP(MD)No.4378 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.11.2022**

CORAM:

**THE HON'BLE MR. JUSTICE N.SATHISH KUMAR
AND
THE HON'BLE MR. JUSTICE D. BHARATHA CHAKRAVARTHY**

**W.P.(MD)No.5456 of 2017
and W.M.P(MD)No.4378 of 2017**

M. Seeni Mohammed

... Petitioner

versus

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The District Revenue Officer
O/o. The District Revenue Office,
Ramanathapuram,
Ramanathapuram District.
3. The Revenue Divisional Officer
The Revenue Divisional Office,
Ramanathapuram,
Ramanathapuram District..
4. The Tahsildar,
O/o. the Tahsildar Office,
Vandikarar Street,
Ramanathapuram Taluk,
Ramanathapuram.



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5. The Block Development Officer (Village Panchayat)
O/o. The Block Development Office,
Mandapam (Place), Utchipuli Post,
Ramanathapuram
Ramanathapuram District.

... Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus to direct the respondent to permit the petitioner to cut and remove the Juliflora Trees stands in Survey Number 90/1, 90/3, 91/1, to an extent of 0.88.0,2.02.5 and 16.22.5 Hectares situated at Panaikulam Village, Alangankulam Group, Ramanathapuram District.

For Petitioner : Mr. Vishnu Chelliah

For Respondents : Mr.J. Ravindran
Additional Advocate General
Assisted by Dr.T. Srinivasan
Spl.Govt. Pleader (Forest)

ORDER

This Writ Petition has been filed to direct the respondent to permit the petitioner to cut and remove the Juliflora Trees stands in Survey Number 90/1,90/3, 91/1, to an extent of 0.88.0,2.02.5 and 16.22.5 Hectares situated at Panaikulam Village, Alangankulam Group, Ramanathapuram District.

2. During the submissions, it appears that the Petitioner claims to be



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the owner of the property wherein the stand of the Government, it is only poramboke land and water body. There is a dispute with regard to the rights over the land. According to the petitioner, already he had filed a suit and the same was decreed in his favour, against which appeal has been filed by the Government. However, no details are furnished by the petitioner.

3. Irrespective of the rights of the parties, we direct the Respondents to remove the Seemai Kaurvalam in Survey Number 90/1,90/3, 91/1, to an extent of 0.88.0,2.02.5 and 16.22.5 Hectares situated at Panaikulam Village, Alangankulam Group, Ramanathapuram District and deposit the proceeds in the credit of the Writ Petition before this Court.

4. Though it is submitted by the learned counsel for the Petitioner that there is a status quo order in WMP No.1566 of 2016, we are of the view that since the petitioner himself coming before the court for removal of the trees in the above survey numbers and those trees have already been declared as invasives and the Government has taken a policy decision to remove the invasive trees and the court is monitoring implementation of the work, mere status quo passed in some other writ petition will not stand in the way of direction to the Respondent to remove the invasive trees. Accordingly, the



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Respondent is directed to remove the invasive trees in Survey Number 90/1,90/3, 91/1, to an extent of 0.88.0,2.02.5 and 16.22.5 Hectares situated at Panaikulam Village, Alangankulam Group, Ramanathapuram District and deposit the proceeds in the credit of this writ petition.

5. With the above observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(N.S.K.,J.) (D.B.C.,J.)
02.11.2022

Index : Yes/No
Internet : Yes
Speaking/Non-speaking Order
ggs

copy to:

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



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Ramanathapuram,
Ramanathapuram District..

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4. The Tahsildar,
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Vandikarar Street,
Ramanathapuram Taluk,
Ramanathapuram.
5. The Block Development Officer (Village Panchayat)
O/o. The Block Development Office,
Mandapam (Place), Utchipuli Post,
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N.SATHISH KUMAR, J.
AND
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