



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Special Original Jurisdiction )

Wednesday, the Nineteenth day of January Two Thousand and  
Twenty Two  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice M.SUNDAR**

WMP(MD) No.508 of 2022  
IN  
WP(MD) No.630 of 2022

1 R.SANJEEVI  
2 R.SELVARAJ  
3 K.SEENIVASAN  
4 P.VANARAJ  
5 R.RAJATHI  
6 P.GANESH KUMAR  
7 PERUMAL SAMY

... PETITIONERS

**Vs**

1 THE GOVERNMENT OF TAMILNADU  
REP. BY ITS PRINCIPAL SECRETARY TO THE GOVERNMENT,  
FOREST AND ENVIRONMENT DEPARTMENT,  
FORT ST.GEORGE, CHENNAI 600009.

2 THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS,  
PANAGAL BUILDINGS, SAIDAPET,  
CHENNAI 600015

3 THE CONSERVATOR OF FOREST,  
THENI DIVISION, THENI 625 531.

4 THE DISTRICT COLLECTOR,  
THENI DISTRICT, THENI 625 531

5 THE DISTRICT FOREST OFFICER,  
KRR NAGAR, HOUSING BOARD COLONY,  
THENI 625 531

6 THE WILDLIFE WARDEN,  
MEGAMALAI WILDLIFE SANCTUARY,  
THENI 625 531.

7 THE FOREST RANGE OFFICER,  
MEGAMALAI RANGE, KADAMALAIKUNNDU,  
THENI DISTRICT 625579.

... RESPONDENTS



Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit the petitioners to join together and file a single Writ Petition by allowing 2-B petition.

**PRAYER IN WP (MD) . 630/2022:**

Pleased to issue a WRIT OF MANDAMUS or any other appropriate Writ or Order or direction in the nature of Writ, to direct the respondents to allow us to access our agricultural land which is situated in Ithayakkani Estate by using the above mentioned recognized and notified pathways, and order to prohibit the unlawful restraint by the 7<sup>th</sup> respondent and his subordinates.

**ORDER :** This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.RAJIV RUFUS, Advocate for the petitioners and of Mr.M.RAMESH, Government Advocate on behalf of the Respondents No.1 to 7, the court made the following order:-

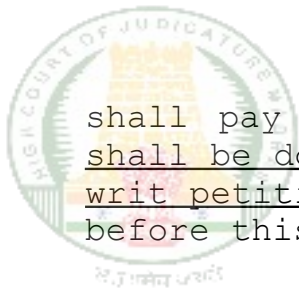
Captioned 'Writ Miscellaneous Petition' ('W.M.P.' for brevity) has been filed with a prayer to permit the seven writ petitioners to join together and file one single writ petition.

2.Though the caption refers to Rule 15(2) of 'Madras High Court Writ Rules, 2021' ['said Rules' for the sake of convenience and clarity], the prayer talks about 2-B petition. Reference to Rule 2-B appears to be reference to Rules to Regulate Proceedings under Article 226 of the Constitution of India but owing to Rule 32 of said Rules, these Rules have been repealed. Be that as it may, the prayer would more appropriately fit into Rule 15(1) of said Rules rather than Rule 15(2) of said Rules. The Registry is also directed to ensure that such errors ie., 2-B petition error, do not slip through the examination process.

3.Be that as it may, power of this Court to accede to the prayer is available under Rule 15 of said Rules and therefore considering the facts and circumstances of this case as a one-off matter, this Court deems it appropriate to look at the support affidavit.

4.The main writ petition pertains to what according to writ petitioners is an estate admeasuring 55 acres or thereabouts and known as 'Ithayakkani Estate' [hereinafter 'said estate' for the sake of convenience and clarity] and access to the same.

5.A perusal of the writ affidavit shows that the nature of grievance, the source of right which the writ petitioners seek to enforce, nature of relief prayed for are common. Therefore captioned W.M.P. is ordered ie., seven writ petitioners are permitted to file a single writ petition albeit subject to the condition that they



shall pay separate Court fee. This payment of separate Court fee shall be done before the next listing ie., before 25.01.2022 and the writ petition will be taken up only on compliance. Registry to place before this Court a compliance report.

6.W.M.P. is ordered on above terms. There shall be no order as to costs.

sd/-

19/01/2022

/ TRUE COPY /

24/01/2022

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**TO**

- 1 THE PRINCIPAL SECRETARY TO THE GOVERNMENT,  
THE GOVERNMENT OF TAMILNADU  
FOREST AND ENVIRONMENT DEPARTMENT,  
FORT ST.GEORGE, CHENNAI 600009.
- 2 THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS,  
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MEGAMALAI RANGE, KADAMALAIKUNNDU,  
THENI DISTRICT 625579.

**ORDER IN**

WMP(MD) No.508 of 2022

IN

WP(MD) No.630 of 2022

Date :19/01/2022

SA/JM/SAR.2/24.01.2022/3P/8C