



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.849 of 2022

D.R.Stalin Deva Kumar

... Petitioner

Vs.

1.The District Collector,
Nagercoil,
Kanyakumari District.

2.The District Forest Officer,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to grant permission to cut and remove six numbers of Teak Wood trees and transit from the petitioner's patta land in Survey No.1009/9 and 1009/11, situated at Kaiyal Village, Vilavancode Taluk, Kanyakumari District forthwith.

For Petitioner : Mr.N.S.Ramakrishna Dass

For Respondents : Mr.M.Lingadurai

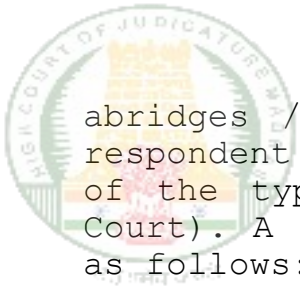
Special Government Pleader

O R D E R

In the captioned writ petition Mr.N.S.Ramakrishna Dass, learned Counsel on record for writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of both the respondents are before this Court.

2.Writ petitioner has approached the second respondent seeking permission to fell (cut) teak wood trees [தேக்கு மரங்கள்] in land which according to writ petitioner belongs to him.

3.Captioned writ petition has been filed saying that his aforementioned application seeking permission has not been considered by the respondents and the writ petitioner has sought a direction in this regard from this Court. Notwithstanding the prayer (extracted and reproduced supra below the cause title in this order), learned Counsel on record for writ petitioner submits that he



abridges / restricts the prayer to a simple Mandamus qua second respondent to dispose of his representation dated 11.09.2021 (page 6 of the typed set of papers in the case file placed before this Court). A scanned reproduction of this 11.09.2021 representation is as follows:

WEB COPY

அனுப்பநர்

டி. ஆர். ஸ்டான்லி தேவகுமார்

த. பெ. தேவராஜ்

வேப்பம்பாட்டு ஆவடி அஞ்சல் சென்னை

செல் : 982672315. (9443 994642)

பெறுநர்

மாவட்ட வன அதிகாரி அவர்கள்

நாகர்கோவில்

கன்னியாகுமரி மாவட்டம்

ஐயா

எனக்கு கஸியல் கிராமம் புல எண் 1009/9-ல் ரூ.20.00 ஏர், புல எண் 1009/11-ல் ரூ.93.00 ஏர் சொத்து செந்தமாக உள்ளது மேற்படி சொத்தில் நிற்கும் 6 மூடு தேக்கு மரம் உள்ளது மேற்படி மரம் வெட்டுவதற்கு அனுமதிக்கேட்டும் மரத்தின் அளவும் சொத்தின் எல்லா ரெக்கார்டும் இத்துடன் இணைக்கப்பட்டுள்ளது.

இணைப்பு நகல்

இப்படிக்கு

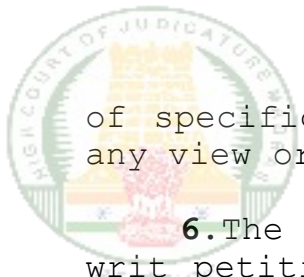
D. R. S. S. S.

1. மனு
2. நில உரிமை சான்று
3. சிட்டா ஆடங்கல்
4. கரத்திரை ரசீது
5. வில்லங்க சான்று
6. நிலத்தின் பட்டா எண்: 2007
7. சொத்து விபர ரெக்கார்டு
8. புல வரைப்படம்
9. மரத்தின் கற்று அளவு

Date : 11-9-2021

4. Learned Special Government Pleader who has accepted notice on behalf of both respondents submits that the claim of the writ petitioner has to be examined *inter-alia* by verification of various records.

5. In the light of the abridged / restricted / narrowed down prayer, captioned writ petition is disposed of with a simple directive to the second respondent to dispose of aforementioned 11.09.2021 representation of the writ petitioner on its own merits and in accordance with law in any event within six [6] weeks from today i.e., on or before **04.03.2022**. Though obvious for the purpose



of specificity it is made clear that this Court has not expressed any view or opinion on the merits of the matter.

6.The order / proceedings of the second respondent disposing of writ petitioner's aforementioned 11.09.2021 representation shall be communicated to the writ petitioner under due acknowledgment within seven [7] working days from the date of disposal.

7.Captioned writ petition is disposed of with the aforementioned simple directive. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Nagercoil,
Kanyakumari District.

2.The District Forest Officer,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-2378[F] dated 25/01/2022)

ORDER MADE IN

W.P.[MD]No.849 of 2022

21.01.2022

MK/01.02.2022/3P/4C