



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2717 of 2022

and

W.M.P. [MD]No.2413 of 2022

K.Kathirvel

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Tahsildar,
Ilayangudi Taluk,
Ilayangudi,
Sivagangai District.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

4.The Inspector of Police,
Ilayangudi Police Station,
Ilayangudi,
Sivagangai District.

5.Alagar

6.Gajendran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to take immediate action thereby forbearing the sixth respondent and his ally from cut and removal of the Velikaruvelam trees remained uncut at Viraiyathakandan Kanmai situated at Viraiyathakandan Village, Ilayankudi Taluk, Sivagangai District beside taking necessary action against the respondents 5 and 6 and his ally namely Prabhakaran for their illegal cut and removal of the said trees from the said Kanmai in the light of the petitioner's representation dated 21.01.2022 made in person to the respondents 1 to 3 herein within a time frame as fixed by this Court.



For Petitioner : Mr.J.Muneer Khan
for Mr.B.Prahalad Ravi

For Respondents : Mr.M.Lingadurai
(1 to 4) Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to take immediate action to forbear the sixth respondent and his ally from cutting and removing the Velikaruvelam trees remaining uncut at Viraiyathakandan Kanmai situated at Viraiyathakandan Village, Ilayankudi Taluk, Sivagangai District, besides taking necessary action against the respondents 5 and 6 and his ally namely Prabhakaran for their illegal cutting and removing of the said trees from the said Kanmai based on the petitioner's representation dated 21.01.2022 within a time frame to be fixed by this Court.

2. According to the petitioner, the Velikaruvelam trees are being illegally cut and removed by the sixth respondent and his friends. The petitioner has given a representation on 21.01.2022 to forbear the illegal cut of Velikaruvelam trees by the sixth respondent and his friends. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.J.Muneer Khan for Mr.B.Prahalad Ravi, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of respondents 1 to 4.

4. No prejudice would be caused to the respondents if the representation of the petitioner dated 21.01.2022 is considered on merits and in accordance with law after hearing all the necessary parties including the fifth and sixth respondents herein within a time frame to be fixed by this Court.

5. Accordingly, this Court directs the second respondent to consider the aforesaid petitioner's representation dated 21.01.2022 and pass appropriate orders on merits and in accordance with law after hearing all the necessary parties including the fifth and sixth respondents within a period of twelve [12] weeks from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition stands disposed of. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar(T & P)

// 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,
Sivagangai, Sivagangai District.
2. The Tahsildar,
Ilayangudi Taluk,
Ilayangudi, Sivagangai District.
3. The Superintendent of Police,
Sivagangai District, Sivagangai.
4. The Inspector of Police,
Ilayangudi Police Station,
Ilayangudi, Sivagangai District.

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-6043[F] dated 14/02/2022
+1 CC to M/s.SPL GP (SR-5917[F] dated 14/02/2022)

ORDER MADE IN
W.P. [MD]No.2717 of 2022
10.02.2022

KS (CO)

TR(01.03.2022) 3P 7C