



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.7180 of 2022

Sivagnanapandian

.. Petitioner

Vs

1.The District Collector,
Ramanathapuram District.

2.The District Forest Officer,
Ramanathapuram Forest Range Division,
Ramanathapuram.

3.The Tahsildar,
Kadaladi Taluk Office,
Kadaladi,
Ramanathapuram District.

4.The Executive Engineer,
Agricultural Engineering Department,
Ramanathapuram.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioners petition, dated 14.02.2022, now pending on the file of the 3rd respondent.

For Petitioner : Mr.S.Sabbani Karpura Jothi

For Respondents : Mr.B.Saravanan,
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 14.02.2022, seeking permission to cut the palm trees located in the petitioner's property, within a time frame to be fixed by this Court.

2.According to the petitioner, he is the absolute owner of the property comprised in S.No.293/1B2, situated in Sayalkudi Village, Kadaladi Taluk, Ramanathapuram District and patta No.12693 has also been issued in his favour. According to him, there are 58 palm trees in the said property. He has sought for permission to cut the same and has given representation, dated 14.02.2022, to the respondents. Since the same has not been considered till date, this



writ petition has been filed.

3. Heard Mr.S.Sabbani Karpura Jothi, learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

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4.No prejudice will be caused to the respondents, if the petitioner's representation, seeking permission to cut the palm trees in his property, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner. The petitioner has filed the copy of the patta for the said property, which stands in his name.

5.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation, dated 14.02.2022, seeking permission to cut 58 palm trees in his property comprised in S.No.293/1B2, situated in Sayalkudi Village, Kadaladi Taluk, Ramanathapuram District, bearing patta No.12693 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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,
Ramanathapuram District.

2.The District Forest Officer,
Ramanathapuram Forest Range Division,
Ramanathapuram.



3.The Tahsildar,
Kadaladi Taluk Office,
Kadaladi,
Ramanathapuram District.

4.The Executive Engineer,
Agricultural Engineering Department,
Ramanathapuram.

+1 CC to M/s.S. SABBANI KARBURAJOTHI, Advocate (SR-19088[F] dated 18/04/2022)

+1 CC to M/s.SPL.GP. (SR-19776[F] dated 20/04/2022)

W.P. (MD)No.7180 of 2022

18.04.2022

RD(29.04.2022) 3P 7C