



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2022

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)No.22002 of 2021

K.Vadivel

... Petitioner

vs.

1.The District Collector,
Tenkasi District, Tenkasi.

2.The Tahsildar,
Thiruvengadam Taluk Office,
Thiruvengadam, Tenkasi District.

3.The Block Development Officer,
Kuruvikulam Union Office,
Kuruvikulam, Tenkasi District.

4.The President,
Alagapuri Panchayat,
Thiruvengadam Taluk, Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to remove the four trees which are standing in hazardous condition in the land in Nadu Theru, Madhurapuri Village, Thiruvengadam Taluk, Tenkasi District by considering the petitioner's representation, dated 22.07.2021 within the time limit that may be prescribed by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For R1 and R2 : Mr.S.Shanmugavel

Additional Government Pleader

For R3 and R4 : Mr.M.Lingadurai

Special Government Pleader

O R D E R

Heard Mr.M.S.Jeyakarthik, learned Counsel for the petitioner, Mr.S.Shanmugavel, learned Additional Government Pleader for Respondents 1 and 2 and Mr.M.Lingadurai, learned Special Government Pleader for R3 and R4.

2.Let me not examine in detailed the facts mentioned, but express deep appreciation to the representation made on behalf of the respondents by Mr.S.Shanmugavel, learned Additional Government Pleader, who stated that within a period of two weeks from the



date of receipt of a copy of this order, the branches of the trees, which are over hanging the petitioner's property, would be removed by the respondents. The trees would be protected.

3.It must be mentioned that the Writ Petition has been filed for a Mandamus seeking a direction to the second respondent to remove the four trees, which according to the petitioner are standing in hazardous condition. An option was given to the respondents by the Court on the previous hearing to replant the trees to another place. Today, the learned Additional Government Pleader stated that the branches alone would be cut and this would not affect the trees in any manner, but would also ensure that they are not source of danger to the property of the petitioner.

4.Recording the said statement, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

- 1.The District Collector,
Tenkasi District, Tenkasi.
- 2.The Tahsildar,
Thiruvengadam Taluk Office,
Thiruvengadam, Tenkasi District.
- 3.The Block Development Officer,
Kuruvikulam Union Office,
Kuruvikulam, Tenkasi District.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-511[F] dated 06/01/2022)
+1 CC to M/s.SPL.GP (SR-557[F] dated 06/01/2022)

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