



W.P.(MD) No.24465 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.24465 of 2022

M.Baskaran

... Petitioner

-Vs-

1.The District Collector,
Office of the District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Office of Tahsildar,
Sivagangai Taluk, Sivagangai District.

3.The Panchayat President,
Thamaraki Panchayat, Thamaraki,
Sivagangai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to save and protect the trees planted and stand in Survey No.344/1 in Thamaraki Village, Sivagangai Taluk, Sivagangai District, consequentially directing the respondents 2 and 3 not to

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destroy the said trees under the guise of encroachment by considering the petitioner's representation dated 19.09.2022 and for other such reliefs, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to save and protect the trees planted and stand in Survey No.344/1 in Thamaraki Village, Sivagangai Taluk, Sivagangai District, consequently, directing the respondents 2 and 3 not to destroy the said trees under the guise of encroachment, by considering the petitioner's representation dated 19.09.2022, within a time frame.

2. According to the petitioner, the land in question is classified as Government Poramboke land in the revenue records, wherein the petitioner and

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his family members planted some trees for several years. Now, the 2nd respondent attempted to cut all the trees in the land in question. Therefore, the petitioner made a representation dated 19.09.2022 to the 1st respondent. Finding inaction on the part of the 1st respondent, this Writ Petition is filed.

3.The learned Special Government Pleader for the respondents submitted that the representation of the petitioner dated 19.09.2022 would be considered on merits and necessary orders would be passed, after affording sufficient opportunity to all the parties concerned, within a time frame, for which, the learned counsel for the petitioner is agreeable.

4.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to consider the representation of the petitioner dated 19.09.2022 and pass appropriate orders on merits and in accordance with law, after affording sufficient opportunity to all the parties concerned, within a period of six (6) weeks from the date of receipt of a copy of this order.

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5. With the above direction, this Writ Petition stands disposed of. No costs.

[R.M.D., J.] & [J.S.N.P., J.]

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Index : Yes / No

Internet : Yes / No

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Sivagangai Taluk, Sivagangai District.

3. The Panchayat President,
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