



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2022

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.22895 of 2021

Muthuramalingam

...Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The District Forest Officer,
Sivagangai District,
Sivagangai.

4.The Tahsildar,
Sivagangai,
Sivagangai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner to cut and remove the Karuvela trees at "Sengulipatti Kanmoi" to an extent of 21.13.0 hectares situated in S.No.297/1 Vaniyangudi Revenue Village, Sivagangai District as per the conformation order issued by the second respondent in his proceedings Na.Ka.No.A1/549/2017, dated 16.11.2017.

For Petitioner : Mr.M.Natarajan

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking permission to cut and remove Karuvela trees at Sengulipatti Kanmoi, measuring to an extent of 21.13.0 hectares.



2.It is informed by Mr.S.Kameswaran, learned Government Advocate that the second respondent/the Revenue Divisional Officer had granted a tender in favour of the petitioner. However, that was objected by the third respondent/The District Forest Official, Sivagangai District.

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3.In the quarrel between the second and third respondents, the petitioner was left high and dry. The trees also remained. No body was permitted to cut the trees and also to execute that particular task. Now, it is in the hands of the District Collector, Sivagangai, to resolve the issue.

4.The petitioner had sent a representation on 20.09.2021 to the District Collector, Sivagangai.

5.Without entering into any further details of the facts, let a direction/Mandamus be issued to the District Collector, Sivagangai, to examine the representation given by the petitioner herein. It is always possible that the District Collector Office might not have a copy of the said representation. Therefore, the petitioner is simultaneously directed to give a fresh copy of the representation, dated 20.09.2021, within a period of three weeks from the date of receipt of a copy of this order and thereafter, on conclusion of the code of conduct, which is in force owing to the ensuing elections, after that period is concluded, within a period of eight weeks from that particular date, let the District Collector pass necessary orders in manner known to law.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 District,

<https://hcservices.sivagangai.nic.in/hcservices/>



2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The District Forest Officer,
Sivagangai District,
Sivagangai.

4.The Tahsildar,
Sivagangai,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-3118[F] dated 31/01/2022)

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28.01.2022

RD(07.02.2022) 3P 6C