



WEB COPY



W.P.No.23775 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.23775 of 2015

and

M.P.No.1 of 2015

Shri Annai Thavam Pettra Nayaki Trust,
Represented by its President Mr.Murugan,
No.3, Aghraharam Street,
Thiruthangal – 626 130,
Virudhunagar District.

...Petitioner

Vs.

- 1.State Rep.by Secretary,
Forest and Environment Department,
Fort St.George,
Chennai – 600 009.
- 2.The Principal Chief Conservator of Forest,
Panagal Maligai,
Chennai – 600 015.
- 3.The District Forest Officer,
Grizzled Glant Squirrel Sanctuary,
Srivilliputhur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to follow the provisions contemplated in the formerly Kamarajar District now



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Virudhunagar District Gazette dated 26.09.1989 as far as the subject Thiruvilakkamparai Thavampettra Nayaki Amman Temple is concerned with reference to the usage of the path Way lying within forest area as mentioned therein in so far as the devotees of the temple is concerned.

For Petitioner : Mr.K.Govi Ganesan

For R1 to R3 : Mr.S.Ravichandran
Additional Government Pleader

ORDER

The learned counsel for the petitioner made a submission that the President of the Petitioner Trust, who filed the writ petition died.

2. That apart, the relief sought for in the present writ petition is for a direction to direct the respondents to follow the provisions contemplated in the formerly Kamarajar District now Virudhunagar District Gazette dated 26.09.1989 as far as the subject Thiruvilakkamparai Thavampettra Nayaki Amman Temple is concerned with reference to the usage of the path Way lying within forest area as mentioned therein in so far as the devotees of the temple is concerned.



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3. On account of efflux of time, the relief as such sought for cannot be granted by this Court. Whether the provisions relating to the usage of pathway, lying within the forest area at this length of time is to be followed in accordance with the Gazette dated 26.09.1989 or not, is to be determined with reference to various other factors, which underwent many changes.

4. Thus, if any grievance exists as of now for the petitioner/Trust, they are at liberty to approach the competent authority for the purpose of redressing their grievances.

5. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10.04.2023

Index : Yes
Speaking order
Neutral Citation: Yes
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To

1. The Secretary,
Forest and Environment Department,
Fort St. George, Chennai – 600 009.



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2.The Principal Chief Conservator of Forest,
Panagal Maligai,
Chennai – 600 015.

3.The District Forest Officer,
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S.M.SUBRAMANIAM, J.

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