



WEB COPY



W.P.No.12753 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.No.12753 of 2023

and

W.M.P.Nos.12543, 19051, 19052 of 2023

G.Pazhamalai

... Petitioner

Vs.

1.The Principal Chief Conservator of Forest,
Principal Chief Conservator Office,
Velachery Road, Near Toll gate,
Kancheepuram, Guindy,
Chennai – 600 032.

2.The District Collector,
Villupuram District,
Villupuram.

3.The District Forest Officer,
Villupuram District,
Villupuram.

4.Subramani

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to forbearing the 4th respondent from cutting the Karuvel Tree plant in the year 1979 to an extent



W.P.No.12753 of 2023

of 33.70 Hectare and in the year 1989 to an extent of 18.50 total to an extent of 52.20 Hectare plant situated at Muttrampattu Lake, Tindivanam Division, Villupuram District and directing the respondents 1 to 3 to conducting the public auction in the Muttrampattu Lake Karuvel Tree plant in the year 1979 to an extent of 33.70 Hectare and in the year 1989 to an extent of 18.50 total to an extent of 52.20 Hectare.

For Petitioner : Mr.K.Krishnan

For R1 to R3 : Mr.N.Naveenkumar
Government Advocate

For R4 : Mr.M.Raja

ORDER

The writ petitioner seeks a direction to the respondents 1 to 3 to forbear the 4th respondent from cutting the Karuvel Tree planted in Muttrampattu Lake area, Tindivanam Division, Villupuram District.

2. It is the case of the petitioner that he is a Forest Contractor and he has been participating in the forest public auction from the year 1995. The 3rd respondent issued a public notice for conducting open auction for cutting the



W.P.No.12753 of 2023

Karuvel Trees standing in Mutrampattu Lake Area on 02.11.2022. The 4th respondent was declared as successful bidder in the public auction for cutting Karuvel Trees for the period from 02.11.2022 to March 2023. However, the 4th respondent instead of cutting the Karuvel Trees, started to cutting the valuable trees standing in other areas. Therefore, the petitioner submitted a representation to the respondents 1 to 3 on 14.04.2023 requesting them to take appropriate action against the 4th respondent, who is indulging in cutting of valuable trees standing in Mutrampattu Lake Area without cutting Seemai Karuvel Trees alone for which auction was conducted. The said representation of the petitioner has not been considered by the respondents 1 to 3, till date.

3. The learned counsel appearing for the petitioner submitted that though 4th respondent became successful bidder for cutting the Seemai Karuvel Trees standing in Mutrampattu Lake Area, instead of cutting the Seemai Karuvel Trees, he is indulging in cutting valuable trees standing in Mutrampattu Lake area which were reared by Forest Department. The act of the 4th respondent resulted in loss of nearly Rs.30,00,0000/- to the 1st respondent/Department.

4. In view of the serious allegations made by the petitioner with respect



W.P.No.12753 of 2023

to cutting of valuable trees standing in Forest Asrea, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the 1st respondent to consider the representation of the petitioner dated 14.04.2023 and pass final orders on merits and in accordance with law, after issuing necessary notice to the 4th respondent, within a period of four weeks from the date of receipt of copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

09.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



W.P.No.12753 of 2023

To

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S.SOUNTHAR, J.

dm

W.P.No.12753 of 2023

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