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C.M.P.(MD) No.5183 of 2023
in
W.A.(MD) SR No.29022 of 2023
and
W.A.(MD) SR No.29022 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

C.M.P.(MD) No.5183 of 2023
in
W.A.(MD) SR No.29022 of 2023
and
W.A.(MD) SR No.29022 of 2023

T.Chandrakumar

... Petitioner

-VS-

- 1.The District Collector
Kanyakumari District
Nagercoil
- 2.The Revenue Divisional Officer
Nagercoil
- 3.The Executive Officer
Ganapathypuram Town Panchayat
Ganapathypuram
Kanyakumari District



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4.The Tahsildar
Agasteeswaram Taluk
Nagercoil

5.Dr.P.Paulpandian

... Respondents

PRAYER (in C.M.P.(MD) No.5183 of 2023): Civil miscellaneous petition filed under Section 151 of the Code of Civil Procedure to grant leave to the petitioner to file writ appeal challenging the order passed by this Court in W.P. (MD) No.23207 of 2022, dated 09.11.2022.

PRAYER (in W.A.(MD) SR No.29022 of 2023): Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 09.11.2022, passed in W.P. (MD) No.23207 of 2022 , on the file of this Court.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.V.Nirmal Kumar for R1 to R4



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ORDER

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

Admittedly, the tree is in the Government Poramboke land and what has been done by the Writ Court is to direct the authorities concerned to consider the fourth respondent's representation dated 17.08.2022 seeking to cut the overhanging branches, which affect the land belonging to him and to pass appropriate orders. We do not see any grievance or cause of action for the petitioner herein to maintain this appeal. Hence, the civil miscellaneous petition is dismissed. Consequently, W.A.(MD) SR No.29022 of 2023 is rejected.

[R.S.M., J.]

[L.V.G., J.]

24.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Revenue Divisional Officer,
Nagercoil.
- 3.The Executive Officer,
Ganapathypuram Town Panchayat,
Ganapathypuram,
Kanyakumari District.
- 4.The Tahsildar,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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