



WP (MD) No. 6872 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE B. PUGALENDHI

WP (MD) No. 6872 of 2017

M. Chandra

... Petitioner

Vs

1. The District Collector,
Collectorate Campus,
Pudukottai.

2. The Tahsildar,
Kulathoor Taluk Office,
Kilathoor,
Pudukottai District.

3. Govindan @ Muthusamy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the 1st and 2nd respondents to permit the petitioner to cut the casuarina trees in the petitioner's land in S.No.3.15 Ares, 0.08.0, Old S.No.3.15 Nanja land 0.20, Survey No.3.16 Nanja Land Ares 0.06.5, Old S.No.3.16, Nanja Cent 0.16 totally 36 cents situated at Narangipatti Village, Kulathoor (Sub Division), Pudukottai District based on the petitioner's representation dated 06.04.2017.



WP (MD) No. 6872 of 2017

For petitioner : Mr.V.Selva
For Respondent : Mr.P.T.Thiraviam,
Nos.1 and 2 Government Advocate

ORDER

This writ petition is filed for a direction to the respondents to grant permission for cutting the casurina trees grown in his patta lands.

2.The grievance of the petitioner is that he has grown casuarina trees in his patta lands in S.No.3.15 Ares, 0.08.0, Old S.No.3.15 Nanja land 0.20, Survey No.3.16 Nanja Land Ares 0.06.5, Old S.No.3.16, Nanja Cent 0.16 totally 36 cents situated at Narangipatti Village, Kulathoor (Sub Division), Pudukottai District. When he took steps to cut those trees, the revenue officials threatened him not to cut the trees without obtaining necessary permission. Though he has submitted a representation seeking permission, no permission has been granted. Therefore, the petitioner is before this Court.



WP(MD)No.6872 of 2017

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3.The learned Government Advocate appearing for the official respondents submits that the third respondent raised certain objection for cutting of the trees by the petitioner that he is having title over the property. Therefore, the petitioner was prevented from cutting the trees.

4.Heard the learned Counsel on either side.

5.Though notice was ordered, the petitioner has not served notice on the third respondent. Though the third respondent has raised objection, the Tahsildar is not the competent authority to prevent the petitioner from cutting the trees. Therefore, this writ petition is disposed of with a direction to the petitioner to submit a representation within a period of two weeks from the date of receipt of a copy of this order, to the 2nd respondent, who in turn on receipt of such a representation, shall dispose of the same on merits and in accordance with law within a period of four weeks therefrom, after



WP(MD)No.6872 of 2017

providing necessary opportunity to the third respondent.

No costs.

07.06.2023

dsk

To

- 1.The District Collector,
Collectorate Campus,
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- 2.The Tahsildar,
Kulathoor Taluk Office,
Kilathoor,
Pudukottai District.



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WP (MD) No. 6872 of 2017

B. PUGALENDHI, J.

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WP (MD) No. 6872 of 2017

07.06.2023