



WP (MD) Nos.3228 and 4465 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2023

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CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) Nos.3228 and 4465 of 2016

Ashbak Mohamed

... Petitioner

in WP (MD) No.3228 of 2016

Mujeebuddin

... Petitioner

in WP (MD) No.4465 of 2016

Vs

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The District Forest Officer,
District Forest Office,
Nagercoil,
Kanyakumari District.

3.The Tahsildar,
Kalkulam District,
Kanyakumari District.

... Respondents

PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the respondents herein to consider and pass orders on the petitioners' final representation dated 07.01.2016 and 30.01.2016 seeking permission to cut the existing non yielding rubber trees and to replant new



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rubber saplings in the petitioners' property situated in Re-Survey Nos.324/2, 324/3A of Surulode Village, Kalkulam Village and in Re-survey No.604 of Ponmani 'A' Village, Kalkulam Taluk, Kanyakumari District within a reasonable time as may be specified by this Court.

For petitioners : Mr.E.V.N.Siva

For Respondent : Mr.N.Ramesh Arumugam,
Government Advocate
in both WPs

ORDER

These writ petitions have been filed for a direction to the respondents herein to consider petitioners' representations dated 07.01.2016 and 30.01.2016, which were submitted for getting permission to cut the existing non yielding rubber trees and to replant new rubber saplings.

2.The learned Counsel for the petitioners submits that the lands in Re-Survey Nos.324/2, 324/3A of Surulode Village, Kalkulam Village and in Re-survey No.604 of Ponmani 'A' Village, Kalkulam Taluk, Kanyakumari District have now been declared as private forest lands and therefore, the petitioners have to seek remedy before the



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Committee headed by the District Collector, consisting of District Forest Officer and the P.A to the District Collector and therefore, seeks liberty to approach the Committee concerned for redressing their grievances.

3.In view of the subsequent developments, the petitioners are at liberty to submit their representations within a period of four weeks from the date of receipt of a copy of this order, to the Committee headed by the District Collector in this regard along with a copy of this order and the said Committee, on receipt of such representations from the petitioners shall dispose of the same on merits and in accordance with law, within a period of twelve weeks from thereon.

4.These writ petitions are disposed of on the above terms. No costs.

14.02.2023

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Nagercoil, Kanyakumari District.
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B.PUGALENDHI, J.

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