



W.P No.8892 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.8892 of 2024
and W.M.P.Nos.9930 and 9932 of 2024

Mailamparai Mari

.. Petitioner

-VS-

- 1.The District Collector
O/o The District Collector
Kallakurichi District, Kallakurichi.
- 2.The Divisional Engineer
O/o The Divisional Engineer
Highways Department, Kallakurichi.
- 3.The Assistant Executive Engineer
O/o The Assistant Executive Engineer
Highways Department, Sankarapuram
Kallakurichi District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order in petition Nos.7812469 and 7812497 dated 26.02.2024 on the file of the 2nd respondent and quash the same and direct the respondents not to cut the banyan trees which is



W.P No.8892 of 2024

located on Vedasettianthal Main Road as road side trees, Sankarapuram Taluk, Kallakurichi District within stipulated time as may fixed by this Hon'ble Court.

For the Petitioner : Mr.M.Senthil Kumar

For the Respondents : Mr.C.Kathiravan
Special Government Pleader

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Senthil Kumar, learned counsel for the petitioner and Mr.C.Kathiravan, learned Special Government Pleader for respondents 1 to 3.

2. It is submitted that a representation was given by the petitioner not to cut the trees located on Vedasettianthal Main Road, Sankarapuram Taluk, Kallakurichi District. The same was rejected.



W.P No.8892 of 2024

WEB COPY

3. We asked the learned counsel for the petitioner as to how many number of trees are being cut for widening of the road into four lane. It is submitted that there is only one tree.

4. No doubt, the expansion of the road would be necessary. However, we would observe that if the said tree can be re-planted elsewhere, efforts will be made to re-plant the tree in any adjacent place or some other place as may be feasible and viable. The feasibility of the same may be looked into by the authorities.

5. With the above observation, this writ petition is disposed of. There will be no order as to costs. Consequently, connected miscellaneous petitions in W.M.P.Nos.9930 and 9932 of 2024 are closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

03.04.2024

Index : Yes/No
Neutral Citation : Yes/No
kst



W.P No.8892 of 2024

To
WEB COPY

- 1.The District Collector
O/o The District Collector
Kallakurichi District, Kallakurichi.
- 2.The Divisional Engineer
O/o The Divisional Engineer
Highways Department, Kallakurichi.
- 3.The Assistant Executive Engineer
O/o The Assistant Executive Engineer
Highways Department, Sankarapuram
Kallakurichi District.



WEB COPY



W.P No.8892 of 2024

THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(kst)

W.P No.8892 of 2024

03.04.2024