



W.P.No.16230 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.16230 of 2023

and W.M.P.No.15623 of 2023

E.Kandavel

.. Petitioner

Vs

1. The Secretary to Government,
Rural Development Department,
Fort St. George, Chennai 600 009.
2. The Principal Secretary to Government,
Revenue Department, Fort St. George,
Chennai 600 009.
3. The Director of Village Panchayat,
Kuralagam, Chennai 600 104.
4. The District Collector,
Perambalur District, Perambalur.
5. The Revenue Divisional Officer,
Perambalur, Perambalur District.
6. The Tahsildar,
Veppanthattai Taluk,
Veppanthattai, Perambalur District.



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7. The President,
Kai.Kalathur Village Panchayat,
Kai.Kalathur, Veppanthattai Taluk,
Perambalur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus forbearing the respondents from constructing any Government buildings including Village Panchayat office building in S.No.525/5 and 525/17, Kai. Kalathur Village, Veppanthattai Taluk, Perambalur District which is classified as Village Natham.

For the Petitioner : Mrs.R.Hemalatha
for Mr.C.Prakasam

For the Respondents : Mr.A.Edwin Prabhakar
for RR 1 to 6
: No appearance for R-7

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Heard, Mrs.R.Hemalatha, learned counsel for the petitioner and Mr.A.Edwin Prabhakar, learned State Government Pleader for respondents 1 to 6.



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2. This writ petition is filed seeking to restrain the respondents from constructing any Government buildings including Village Panchayat office in S.Nos. 525/5 and 525/17, Kai. Kalathur Village, Veppanthattai Taluk, Perambalur District which are classified as Village Natham.

3. The main grievance of the petitioner is that a Village Panchayat office building is sought to be constructed on the lands where there are tamarind trees which are 70 years old and the seventh respondent had decided to cut down the said trees which is against the ecological system and would create environmental imbalance in the locality. Despite the request made by the villagers, the fifth respondent issued orders to cut down the trees for the purpose of constructing the Village Panchayat office and a document was also created as if it was auctioned. Being aggrieved, on behalf of the villagers, the petitioner made a representation on 13.05.2023 to take action against the fifth respondent. Since the representation did not evoke any response, the petitioner has approached this Court with the present writ petition.



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4. When the matter was taken up for hearing, Mr.Edwin Prabhakar, learned State Government Pleader, submitted that after the authorities concerned conducted field inspection, the said land was identified as Village Vacant Natham and only on the basis of the report of the sixth respondent recommending for removal of four trees, the fifth respondent has passed orders and, accordingly, the trees were removed. It is further submitted that the construction of Village Panchayat office building at the aforementioned survey numbers is already over and it being a policy decision of the Government, the petitioner cannot have any grievance on the same.

5. In view of the submission of the learned State Government Pleader, nothing survives for adjudication in the present writ petition. Accordingly, this writ petition stands closed. No costs. Consequently, connected miscellaneous petition is also closed.

(R.M.D., ACJ.) (M.S.Q., J.)
10.06.2024

Index : Yes/No
NC : Yes/No
sra



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THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

(sra)

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