



W.P.No.29709 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.01.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.29709 of 2023

N.Saradhamani

... Petitioner

Vs.

- 1.The Commissioner,
Office of the Commissioner,
Corporation of Coimbatore,
Coimbatore - 641 001.
- 2.The Revenue Divisional Officer,
Coimbatore North,
Office of the Revenue Divisional Officer,
Coimbatore North,
Coimbatore District.
- 3.The Tahsildar,
Coimbatore North,
Office of the Tahsildar,
Coimbatore North,
Coimbatore.
- 4.The Revenue Inspector,
Office of the Revenue Inspector,
Saravanampatti,
Coimbatore.
- 5.The Village Administrative Officer,
Office of the Village Administrative Office,
Kalapatti West, Coimbatore.



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6. The District Forest Officer,
Coimbatore Division,
Trichy Road, Coimbatore - 641 018
(R6 impleaded vide order dated 15.11.2023)
Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th respondent to remove the tree as per the proceedings of the 3rd respondent in Mu.Mu.883/2021/A3 dated 05.03.2021 based on the representation dated 15.02.2021 given by the petitioner.

For Petitioner : Mr.D.Senthil Kumar

For Respondents : Mr.N.Velmurugan (for R1)
Mrs.Geetha Thamaraiselvan (for R2 to R5)
Special Government Pleader

ORDER

The petitioner has sought a mandamus directing the 4th respondent being the Revenue Inspector of Saravanampatti, Coimbatore to remove the Neem tree in the premises surrounding her residence which is at No.89, Brindhavan Nagar, Civil Airport Post, Coimbatore-641014.

2. According to the petitioner, the tree is in precarious condition as it is overgrown and it poses a potential safety hazard. Under proceedings in Mu.Mu.883/2021/A3 dated 05.03.2021, the Tahsildar, Coimbatore North/R3 has recommended that an amount not less than Rs.950/- be taken to be the value of the tree and the needful may be done to remove it.



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3.Mr.N.Velmurugan, learned counsel for R1 and Mrs.Geetha

Thamaraiselvan, learned Special Government Pleader for R2 to R5 would draw attention to G.O.(Ms).No.39 issued by the Environment, Climate Change and Forest (FR.13) Department on 02.07.2021, under that G.O. the decision of the Madras High Court in W.P.No.11094 of 2021 dated 30.04.2021 has been given effect to and a Green Committee had been constituted, one at the State level and the other at District level.

4.The G.O. sets out various measures for preservation of trees in public land and in public places. The tone and tenor of the G.O., apart from preservation of the ground cover is for improvement and increase of native species of trees and to ensure that planting and maintenance of native trees is undertaken periodically and in a scientific manner.

5.To this effect, learned counsel for the petitioner would agree that once the Neem tree is removed, sufficient saplings would be planted by the petitioner. Let this exercise will be completed within a period of six (6) weeks from today.

6.This writ petition is disposed. No costs.

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vs

Index : Yes/No

Speaking order/Non-speaking Order

Neutral citations:Yes/No



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Dr.ANITA SUMANTH,J.

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