



WEB COPY

W.P.No.5672 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 30.01.2024**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.5672 of 2019**

Sengiskhan

... Petitioner

Vs.

1. The District Collector,  
Salem District,  
Salem – 636 001.
2. The Revenue Divisional Officer,  
Attur Taluk,  
Salem District.
3. The Tahsildar,  
Attur Taluk,  
Salem District.
4. The Assistant Engineer,  
Tamil Nadu Electricity Board,  
Narasingapuram,  
Attur Taluk,  
Salem District.
5. Mani @ Maneesh
6. Dharman
7. Selvam
8. Selladurai

... Respondents



**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1<sup>st</sup> respondent to take action against the respondents 2 to 8 for cutting down the Tamarind Tree situated in the land comprised of S.No.335/7, situated on the northern side of Cart Pathway, nearby Salem – Cuddalore Main Road at the turning point of Pudhu Udaiyampatti Village, Appamasamudram, Attur Taluk, Salem District.

|                |                                                                |
|----------------|----------------------------------------------------------------|
| For Petitioner | : Mr.M.Saravanan                                               |
| For R1 to R3   | : Mr.P.Balathandayutham,<br>Special Government Pleader         |
| For R4         | : Mr.I.Syed Sibghatulla,<br>Standing Counsel<br>[For TANGEDCO] |
| For R5 to R7   | : No appearance                                                |
| For R8         | : Not ready in notice                                          |

### **ORDER**

The relief sought for in the present writ petition is to direct the 1<sup>st</sup> respondent to take action against the respondents 2 to 8 for cutting down the Tamarind Tree situated in the land comprised of S.No.335/7, on the northern side of Cart Pathway, nearby Salem – Cuddalore Main Road at the turning point of Pudhu Udaiyampatti Village, Appamasamudram, Attur Taluk, Salem District.



2. The counter affidavit filed by the 3<sup>rd</sup> respondent would reveal that the Assistant Engineer Electricity Board, Narasingapuram made a request to the Revenue Divisional Officer, Attur to pass appropriate orders to cut the branches of Tamarind Tree standing in S.No.335/7 classified as cart track poramboke, which are posing dangerous to the L.T Electric Lines stringing from the transformer No.16 of Appamasamudram Village, Attur Taluk, Salem District.

3. The Revenue Divisional Officer, Attur after conducting personal inspection passed an order to cut the branches of the of the 2C Tamarind Tree standing in S.No.335/7 classed as Vandipathai Poramboke in his order dated 10.01.2018. As per the orders of the Revenue Divisional Officer, Attur, the Zonal Deputy Tahsildar, Attur has conducted sale of the cut branches of the Tamarind Tree on 03.04.2019. The sale amount of Rs.2300/- fetched by one Rahman son of Navushath of Narasingapuram Village has been confirmed by the Tahsildar, Attur and the sale amount was remitted in the Sub-Treasury, Attur on 05.04.2019.



4. Therefore, cutting of a Tamarind Tree is an administrative decision taken in view of public interest and the procedures as contemplated were followed by the Revenue Divisional Officer and the Sub-ordinate authorities. Therefore, the allegations raised by the writ petitioner deserves no merit consideration.

5. Accordingly, this Writ Petition stands dismissed. No costs.

**30.01.2024**

Jeni  
Index : Yes  
Neutral Citation : Yes  
Speaking order / Non-speaking order



To

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**S.M.SUBRAMANIAM, J.**

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