



W.P.(MD) No.4140 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.4140 of 2013

and

M.P.(MD) Nos.1, 2 & 3 of 2013

S.Ignacy

... Petitioner

-VS-

- 1.Union of India
rep.by its Secretary
Ministry of Forest and Environment
Annexe No.5, Bikaner House
Shahjahan Road
New Delhi-110 011
- 2.The State of Tamil Nadu
rep.by its Principal Secretary
Department of Forests and Environment
St.George Fort
Chennai-600 009
- 3.The District Collector
Dindigul District
Dindigul
- 4.The District Forest Officer
Kodaikanal
Dindigul District



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5.The Panchayat President
Poomparai Panchayat
Poomparai, Kodaikanal
Dindigul District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned notification in Na.Ka.No.1668/2012/A8/(AS 11), dated 06.02.2013, on the file of the third respondent and quash the same as illegal and consequently to direct the respondents 2 and 3 to prevent laying of public road to an extent of 3 Yards from Vannampatti Section to Kottan Kattaparai in the forest area located in Kodaikanal, Dindigul District.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.Pon Senthil Kumaran
Central Government Standing Counsel for R1
Mr.N.Satheesh Kumar
Additional Government Pleader for R2 to R5

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The order dated 06.02.2013, passed by the third respondent, granting sanction for laying a road in the subject land, is under challenge in this writ petition.



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2. Today, when the matter was taken up for hearing, learned Additional Government Pleader appearing for the respondents 2 to 5, on instructions, submitted that the respondent – Panchayat has not proceeded with laying of the road as the subject is a reserved forest land and it comes under the control of the Forest Department and therefore, no further adjudication is required in this writ petition.

3. Recording the above submission of the learned Additional Government Pleader, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.] [M.S.K., J.]
09.01.2024
(1/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

- 1.The Secretary,
Ministry of Forest and Environment,
Union of India,
Annexe No.5, Bikaner House,
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New Delhi-110 011.
- 2.The Principal Secretary,
Department of Forests and Environment,
State of Tamil Nadu,
St.George Fort,
Chennai-600 009.
- 3.The District Collector,
Dindigul District,
Dindigul.
- 4.The District Forest Officer,
Kodaikanal,
Dindigul District.
- 5.The Panchayat President,
Poomparai Panchayat,
Poomparai, Kodaikanal,
Dindigul District.



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