



W.P.(MD)No.4153 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.4153 of 2025

1.M.Karunalaya Pandian
2.S.Thangaraj

... Petitioners

vs.

- 1.The District Collector,
Tenkasi District Collector Office,
Tenkasi District.
- 2.The Project Director,
National Highways Authority of India,
(Ministry of Road Transport & Highways),
No.395/3-1, M.S.Road Majestic Colony,
Near Ayyapan Kovil, Parvathiyapuram,
Nagercoil 629 003.
- 3.Special District Revenue Officer,
Thirumangalam -Kollam National Highway Extension,
District Collector Office,
Virudhunagar.
- 4.The Assistant Divisional Engineer,
National Highway Construction and Service,
Railway Feeder Road,
Tenkasi District.



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5. The District Forest Officer,
Tirunelveli Division.

... Respondents

(R5 is *suo motu* impleaded vide Court order dated 18.02.2025 in
W.P(MD).No.4153 of 2025)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent herein to consider the representations dated 20.01.2025 and 28.01.2025 within a stipulated period.

For Petitioners : Mr.P.Shanmugavel
For R1, R3 to R5 : Mr.A.Kannan
Additional Government Pleader
For R2 : Mr.Su.Srinivasan
Standing Counsel

ORDER

The writ petitioners seek for issuance of writ of mandamus to consider their representation dated 20.01.2025 and 28.01.2025. The case of the petitioners is that there is an existence of banyan trees in S.No.18/2 situated at Subramaniyapuram Village, Sivagiri Taluk, Tenkasi District. These banyan trees abut the National Highways running between Tamil Nadu and Kerala.



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2. According to the petitioners, the trees are in highly damaged condition and pose severe risk to persons, who are using the National Highways. Pursuant thereto, they have approached the National Highways Authority of India for the removal of the trees. As no action had been initiated, the present writ petition came to be filed.

2. When the matter was taken up for hearing, Mr.Su.Srinivasan, learned Standing Counsel, who takes notice for the second respondent states that acting immediately on the representation, the second respondent has written to the District Forest Officer, Tirunelveli District, seeking orders regarding the valuation of trees that are sought to be removed. He further states that if the trees pose a threat to the Highway users, the National Highways will take steps to address the issue.

3. Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents 1, 3 and 4, states that within two weeks from today, i.e., 18.02.2025, the District Forest Officer, Tirunelveli Division, shall inform the National Highways regarding the valuation. This statement is recorded.



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4. As action has already been initiated by the respondents, apart from recording the statement of Mr.Su.Srinivasan that, upon inspection, if the trees are found to be a threat to road users, the same will be removed, after following due process of law, no further direction need to be issued. Accordingly, this Writ Petition is disposed of. No costs.

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

18.02.2025
(2/2)

To

- 1.The District Collector,
Tenkasi District collector Office,
Tenkasi District.
- 2.Special District Revenue Officer,
Thirumangalam -Kollam National Highway Extension,
District Collector Office,
Virudhunagar.
- 3.The Assistant Divisional Engineer,
National Highway Construction and Service,
Railway Feeder Road,
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- 4.The District Forest Officer,
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V. LAKSHMINARAYANAN, J.

Rmk

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