



W.A(MD)No.1048 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.A(MD)No.1048 of 2025

Ramamoorthy

... Appellant/Writ Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur,
Madurai District.

3.The Tahsildar,
Madurai East,
Madurai District.

4.The Village Administrative Officer,
Karuppayurani Village,
Madurai District.

... Respondents/Respondents

PRAYER : Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 16.07.2024 made in W.P(MD)No.15930 of 2024.



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For Appellant : Mr.J.Anand Kumar
for Mr.S.Vishnuvardhan

For Respondents : Mr.P.Thilak Kumar
Government Pleader

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY, J.)

Challenging the dismissal order dated 16.07.2024 made in W.P(MD)No.15930 of 2024, the writ petitioner as appellant has filed the present Writ Appeal.

2.Seeking removal of a tamarind tree, the petitioner filed the Writ Petition, which was dismissed by the Writ Petition by order dated 16.07.2024, with the following observations:

“2.The petitioner seeks removal of a tamarind tree standing near the petitioner's house. The tree stands only on Government land. The petitioner apprehends that the roots of the tree may cause damage to his house in future. The petitioner has to invoke the common law remedy of filing civil suit. The writ petition will not lie. The writ petition stands dismissed.”



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3.Heard Mr.J.Anand Kumar, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader for the respondents. The materials placed before this Court were also perused.

4.On perusal of the material available on record, it is seen that the the petitioner seeks the removal of a tamarind tree standing near his house. The tree is located on Government land. The petitioner apprehends that the roots of the tree may cause damage to his house. Hence, he requests that the tree be removed.

5.In view of the above, the third respondent is directed to consider and grant permission if permissible under law,, after affording an opportunity of hearing to the petitioner and other affected parties, in accordance with the Tamil Nadu Panchayats (Determination of claim to trees growing on public roads or other property vesting in or belonging to Village Panchayats) Rules, 2001, as expeditiously as possible.



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6. With the above directions, this Writ Appeal is disposed of. There shall be no order as to costs. There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
29.04.2025

NCC : Yes / No
Index : Yes / No
ps



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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