



W.P.(MD)No.4667 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.4667 of 2019

and

W.M.P(DM)No.3723 of 2019

Sudharsun

... Petitioner

Vs.

**1.The District Collector,
Theni District.**

**2.The Conservator of Forest,
Madurai.**

**3.The District Forest Officer,
Theni Division,
Housing Board Colony,
KRR Nagar, Theni.**

**4.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.**

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to take action to forbear the



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respondents 2 and 3 from operating the watch tower in the forest area at Top Station, in the absence of the structural stability certificate from the Public Works Department, no objection certificate from the Tamil Nadu Pollution Control Board and having safety measurements under Fire & Rescue Department.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.P.Thilak Kumar

Government Pleader

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The relief sought for in the writ petition is to direct the first respondent to take action to forbear the respondents 2 and 3 from operating the watch tower in the forest area at Top Station, in the absence of the structural stability certificate from the Public Works Department, no objection certificate from the Tamil Nadu Pollution Control Board and having safety measurements under Fire & Rescue Department.

2. Regarding the grievance of the petitioner, the District Forest Officer, Theni Division filed a counter affidavit stating that the watch Tower functioning from 17.10.2016 is manned by the Eco Tourism Management Committee, Muthuvakudi represented by the residents of Local Community (Tribals) in Muthuvakudi, Central Station and Top Station. The Construction of Watch Tower



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was carried out within the Reserved Forests by observing Department norms and as per codal provisions are adhered in execution of works by the Forest Department Frequent inspections were done by the District Forest Officer and the Conservator of Forest and Proper Check measurement and supervisions were made, while the works are in progress and even after completion. Checking by PWD officials is not to be warranted in Forest Department works as there is no such provisions in the department code and it has been constructed under the order of the Government.

3. In view of the said statement made by the District Forest Officer, Theni Division, Theni, no further adjudication is required in this matter.

4. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (A.D.M.C., J.)
26.06.2025

NCC : Yes / No
Index : Yes / No

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