



W.P.(MD)No.15730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.15730 of 2025

S.Jeyaraj

... Petitioner

Vs.

1. State of Tamil Nadu,
Represented by its Secretary to Government,
Environment and Forest Department,
Fort St.George,
Secretariat, Chennai-9.
2. Principal Chief Conservator Of Forest,
No.1, Jeenis Salai,
Panagal Building, Saidapet,
Chennai 600 018.
3. The District Collector,
Kanyakumari District,
Nagercoil.
4. The District Forest Officer,
Kanyakumari District,
Nagercoil.



W.P.(MD)No.15730 of 2025

5. The Tahsildhar,
Thovalai Taluk,
Boothapandi,
Kanyakumari District.

6. The Commissioner,
Land Administration Department,
2nd Floor, Ezhilagam,
Chepauk,
Chennai 600 005.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to take appropriate action to remove the fence in Survey No.39 (4.56.5 hectares) made by the 4th respondent in S.No.39 and remove the checkpoint in S.No.24 blocking the road and unauthorised building built by the forest department in Thadikkarankonam, Kanyakumari District within a time frame as fixed by this Court.

For Petitioner : Mr.G.Hari Haran

For Respondents : Mr.P.Thilakkumar

Government Pleader

ORDER

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

This writ petition has been instituted to direct the respondents to take appropriate action to remove the fencing.



W.P.(MD)No.15730 of 2025

WEB COPY

2. The learned counsel appearing for the petitioner would submit that the fourth respondent has fenced the land, which has been classified as ‘Government Poramboke Kaadu’. Thus, the present writ petition came to be instituted.

3. The learned Government Pleader, on instructions from the Department, would submit that the said location has already been declared as ‘Reserved Forest’ under the provisions of the Forest Act. Thus, the area is falling under the control of the Forest Department and fencing has been made in order to protect the reserved forest.

4. That being the factum, the petitioner has not established even a semblance of legal right for the purpose of entertaining the writ petition. Consequently, this writ petition stands dismissed. No costs.

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

11.06.2025

NCC : Yes / No
Index : Yes / No
Sm



WEB COPY



W.P.(MD)No.15730 of 2025

S.M.SUBRAMANIAM, J.

AND

DR.A.D.MARIA CLETE, J.

Sm

To:-

1. The Secretary to Government,
Environment and Forest Department,
Fort St.George, Secretariat, Chennai-9.
2. Principal Chief Conservator Of Forest,
No.1, Jeenis Salai,
Panagal Building, Saidapet, Chennai 600 018.
3. The District Collector,
Kanyakumari District, Nagercoil.
4. The District Forest Officer,
Kanyakumari District, Nagercoil.
5. The Tahsildhar, Thoivalai Taluk,
Boothapandi, Kanyakumari District.
6. The Commissioner,
Land Administration Department,
2nd Floor, Ezhilagam,
Chepauk, Chennai 600 005.

W.P.(MD)No.15730 of 2025

11.06.2025