



W.A.(MD)No.1439 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.(MD)No.1439 of 2022
and
C.M.P.(MD)No.11582 of 2022
and
C.M.P.(MD)No.2014 of 2023**

Manicam Narayanan

... Appellant

Vs.

- 1.The Principal Chief Conservator of Forests,
Chennai.
- 2.The District Collector,
Tirunelveli District.
- 3.The Chief Conservator of Forests,
Tirunelveli.
- 4.The District Forest Officer,
Tirunelveli District.
- 5.The Forest Ranger,
Courtallam Range,
Sengottai.

... Respondents



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Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal and set aside the order dated 09-03-2022 in W.P.(MD).No.1979 of 2021 on the file of this Court.

For Appellant : Mr.R.Srinivas, Senior Counsel,
For Mr.S.Sithirai Anandam.

For Respondents : Mr.K.Balasubramni,
Spl. Government Pleader.

JUDGMENT

(Judgment of the court was delivered by G.R.Swaminathan, J.)

Heard the learned senior counsel for the appellant and the learned Special Government Pleader for the respondents.

2.According to the appellant, he owns 18 acres of land in the petition mentioned survey numbers. There are standing trees. The appellant has sought the permission of the respondents for felling them. Since his applications were not disposed of, he filed W.P.(MD)No.1979 of 2021. The case was listed for hearing on 09.03.2022. The learned counsel due to inadvertence did not notice the item in the cause list. Hence, there was no appearance on behalf of the appellant before the



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learned Single Judge. After hearing the submission of the learned Government Counsel, the learned Single Judge felt that the land itself has to be acquired by the Government. Hence, direction to that effect was given vide order dated 09.03.2022. Challenging the same, this writ appeal has been filed.

3.An order that has serious civil consequences on the appellant had been passed without hearing the appellant. The scope of the writ petition was also something else. We are of the view that the learned Single Judge should have disposed of the writ petition with a simple direction to competent authority to dispose of the appellant's request for felling the trees.

4.In this view of the matter, the order dated 09.03.2022 made in W.P.(MD)No.1979 of 2021 is set aside. The writ appeal is disposed of by directing the first respondent to pass an appropriate order on merits and in accordance with law on the appellant's applications dated 11.11.2017 and 23.08.2019. Such an order shall be passed within a period of eight



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weeks from the date of receipt of a copy of this judgment. We make it clear that we have not gone into the merits of the matter. All the contentions of the appellant are left open. No costs. Consequently, connected miscellaneous petitions are closed.

**(G.R.S. J.) & (M.J.R. J.)
11.03.2025**

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