



**W.P(MD)No.21761 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 08.08.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.21761 of 2025**

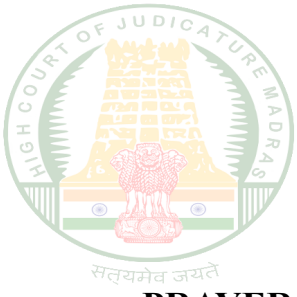
Thirugnanam

... Petitioner

Vs

1. The District Collector,  
Collectorate Campus,  
Sivagangai,  
Sivagangai District.
2. The District Revenue Officer,  
O/o. the District Revenue Officer,  
Sivagangai,  
Sivagangai District.
3. The Revenue Divisional Officer,  
O/o. the Revenue Divisional Officer,  
Sivagangai,  
Sivagangai District.
4. The Tahsildhar,  
Sivagangai,  
Sivagangai District.
5. Kailasam
6. Saroja Devi

... Respondents



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**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to remove the tree located in the premise of the fifth and sixth respondents posing danger to the petitioner's house roof in respect of D. No.2/54, Manikkavasagam Road, Piravalur, Okkur, Sivagangai Taluk, Sivagangai District, by considering the petitioner's representation dated 30.06.2025, within the period that may be stipulated by this Court.

For Petitioner : Mr.RB.Abarajitha

For R-1 to R-4 : Mr.M.Lingadurai  
Special Government Pleader

### **ORDER**

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the third respondent to remove the tree located in the premise of the fifth and sixth respondents posing danger to the petitioner's house roof in respect of D. No.2/54, Manikkavasagam Road, Piravalur, Okkur, Sivagangai Taluk, Sivagangai District, by considering the petitioner's representation dated 30.06.2025.



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2. The learned Counsel appearing for the petitioner submitted that the petitioner aged about 66 years, resides with his wife. Since they are aged, they are not able to withstand the danger which is posed by the tree belonging to the respondents 5 and 6. He further submitted that the respondents 5 and 6 are the relatives of the petitioner. Hence, they are refusing to remove the tree. Already there were several disputes between the petitioner and the respondents 5 and 6. Therefore, the petitioner is unable to convince the respondents 5 and 6 to remove the tree.

3. After hearing the rival submissions, this Court is of the considered opinion that the tree cannot be felled, as a tree is also having a life. Moreover, the felling of tree and planting a new tree will also take considerable time. Therefore, this Court is not inclined to order the felling of the tree. However, the petitioner's right to live should be protected. Accordingly, the respondents 5 and 6 are directed to pay the cost for constructing a concrete roof for the petitioner's house. Further, whenever a coconut falls on the petitioner's side, he is entitled to take the coconut. The said exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. If the respondents 5 and 6 are not adhering to the order passed by this Court, *Suo motu* contempt proceedings will be taken against the respondents 5 and 6.



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**WEB COPY** 4. With the above said directions, this Writ Petition is disposed of. There shall be no order as to costs.

**08.08.2025**

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

jbr

To:

1. The District Collector,  
Collectorate Campus,  
Sivagangai,  
Sivagangai District.
2. The District Revenue Officer,  
O/o. the District Revenue Officer,  
Sivagangai,  
Sivagangai District.
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4. The Tahsildhar,  
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S.SRIMATHY, J.

jbr

ORDER MADE IN  
W.P(MD)No.21761 of 2025

DATED : 08.08.2025