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W.P.(MD)NO.30548 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.30548 of 2025

1. Racklent Raj
2. T.S.Siji

... Petitioners

Vs.

1. The Principal Chief Conservator of Forest and Director,
Forest Head Quarters Buildings,
Velacherry Main Road,
Guindy, Chennai – 600 032.
2. The District Collector,
Nagercoil,
Kanyakumari District.
3. The District Forest Officer,
District Forest Office,
Vadaseri, Nagercoil.
4. The Forest Range Officer,
Velimalai Forest Range,
Velimalai, Kalkulam Taluk,
Kanyakumari District.
5. The Forest Range Officer,
Ponmalai Forest Range,
Ponmalai,
Kalkulam Taluk,
Kanyakumari District.
6. The Tahsildar,



Thovalai Taluk,
Boothapandy,
Kanyakumari District.

7. The Village Administrative Officer,
Velimalai Village,
Karumbarai,
Manalikai Post,
Kanyakumari District.

8. The Managing Director,
Rubber Company Ltd.,
Medai, Velimalai,
Kumarapuram,
Manalikai Post,
Kanyakumari District.

9. Tony,
Manager, Rubber Co. Ltd.,
Medai, Velimalai,
Kumarapuram,
Manalikai Post,
Kanyakumari District.

10. Arun,
Former Manager of Rubber Co. Ltd.,
Medai, Velimalai,
Kumarapuram,
Manalikai Post,
Kanyakumari District.

11. Mohamed Hanifa,
Retired Velimalai Forest Range,
Bawa Agro Service Fertilizer,
Near Pallivasal,
Thituvalai,
Kanyakumari District.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to ensure that the respondents 4 to 7 is not obstructing the petitioners during the agricultural operations on the petitioner's land lying in new S.No.708/3A to an extent of 11 acres and 36 cents situated in Velimalai Village, Kumarapuram First Grade Panchayat limits, Kalkulam Taluk, Kanyakumari District and consequently recognize and protect the petitioner's right to cultivate their land without interference on the basis of the petitioner's representation dated 06.08.2025.

For Petitioner : Mr.M.Sankar

For R-1 to R-7 : Mr.B.Ramanathan,
Additional Government Pleader.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the official respondents.

2. The writ prayer is in two parts. In the first part, relief is claimed against the official respondents. The petitioners allege that the official respondents are preventing the petitioners from accessing their patta lands. It is true that the petitioners have to pass



through the reserved land belonging to the Forest Department. On instructions, the learned Additional Government Pleader states that the petitioners are not being obstructed from passing through the reserved land. However, the petitioners cannot be allowed to take any heavy machinery through the said reserved land. Definitely, Hitachi cannot be permitted. The petitioner can take vehicles such as Jeep after getting express permission from the District Forest Officer.

3. The second part is against private individuals. There is no material on record to show that the private respondents have obstructed the use of the common pathway. Therefore, the petitioner has to go before the jurisdictional civil Court for getting relief against respondents 8 to 11.

4. Recording the stand of the official respondents and granting liberty to the writ petitioner to move the jurisdictional civil Court for getting relief against respondents 8 to 11, this writ petition stands disposed of. No costs.

30.10.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



To:

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