



WEB COPY

WP No. 22850 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 22850 of 2025

AND

WMP NO. 25665 OF 2025

1. Gaia Environmental Conservancy
Pvt Ltd
Rep By Its Director, Having Registered
Office At Ii/301,Kannadikkal Bund
Road, Maradu Post, Ernakulam, Kerala-
682 304

Petitioner(s)

Vs

1. State of Tamilnadu
Rep. by its Additional Chief Secretary To the
Government, Environment, Climate Change
And Forest(FR12) Department,
Fort St.George, Chennai-600 009.

2.The District Collector/chairman of the
Committee
District Collectorate, Theni-625 531

3.Principal Chief Conservator of Forests
(Head of Department),
Forest Headquarters Building,
Near Kannikapuram Checkpost,
Guindy, Velacherry Main Road, Guindy,
Chennai-600 032



4.District Forest Officer
Theni Division, Krr Nagar, Housing Board
Colony, Theni-626 531

Respondent(s)

For Petitioner(s): Mr.Krishna Ravindran

For Respondent(s): Dr.T.Seenivasan, SGP
for R1, R3 and R4
Mr.V.Manoharan, AGP
for R2

ORDER

The petitioner requested the respondents to permit him to clear the thorny bushes, weeds for the purpose of levelling and maintaining the pathway by using machineries like Earthmovers, tractors and other essential equipments in his property measuring 55.24 acres in Survey No.62/1, 62/2, 67, 68/1, 68/2, 69, 70 and 73, at Bodinayakanur (North) Hilly Village, of Bodinayakanaur Taluk, in Theni District. The petitioner's request was rejected and an appeal was filed to the Government and the same was also rejected vide the impugned order dated 17.02.2025. Aggrieved by the order passed by the Government, rejecting his appeal, the petitioner filed the above writ petition for the aforesaid relief.



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2. The learned counsel for the petitioner submitted that the only objection of the respondents is to the use of machinery like JCB and other machinery like Earthmovers, Tractors and other mechanical essential equipments. The learned counsel submits that the petitioner will manually remove the thorns and bushes, near the existing private road and therefore, interim direction may be granted, permitting the petitioner to use modern implements and equipment as may be required to clear the weeds, bushes for restoring access to his Patta lands pending disposal of the writ petition.

3. The learned counsel for the respondents submits that, if the petitioner undertakes to clear manually, the respondents have no objection, but if the petitioner proposes to use modern implements, equipment and machinery like Earthmovers, JCB, Tractors etc., the respondents would have to be heard.

4. I heard both the learned counsels and perused the materials placed on record.



5. In view of the submission of the learned counsel for the petitioner that

the weeds and bushes will be cleared manually with the aid of electronic equipments and implements, without employing the modern heavy machineries like Earthmovers, JCB, Tractors etc, I am inclined to issue an interim direction.

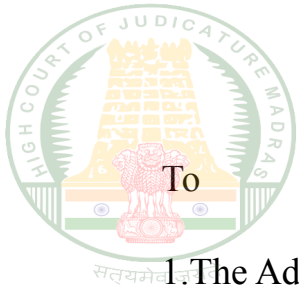
The petitioner is permitted to remove the weeds and bushes manually, with the help of electronic equipments and mechanical implements/ equipments and without employing heavy machineries like Earthmovers, JCB, Tractors etc. The respondents shall not obstruct the petitioner from removing manually the weeds and bushes as aforesaid, till **25.08.2025**.

Post on **25.08.2025**.

dsn

23-07-2025

Internet: Yes



To

1. The Additional Chief Secretary

to the Government,

Environment, Climate Change and Forest (FR12)

Department,

Fort St. George, Chennai-600 009

2. The District Collector/Chairman of The

Committee,

District Collectorate, Theni-625 531

3. The Principal Chief Conservator of Forests,

(Head of Department), Forest Headquarters

Building, Near Kannikapuram Checkpost,

Guindy, Velacherry Main Road,

Guindy, Chennai-600 032.

4. The District Forest Officer,

Theni Division, KRR Nagar,

Housing Board Colony, Theni-626 531



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N.MALA J.

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