

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) NO.420 OF 2024

Sri Amarjoy Reang.

Vs.

The State of Tripura and ors.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Mr. K. Datta, Advocate.

For the Respondent(s) : Mr. K. De, Add. G.A.

28.06.2024

Order

This present writ petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:-

"(i) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/directions of like nature shall not be issued whereby directing the Respondents for extension of tree registration certificate.

(ii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued whereby directing the Respondents for issuance of permission for extraction of 207 nos. of trees.

(iii) Issue Rule upon the Respondents to show cause as to why a writ in the nature of Mandamus and/or order/orders, direction/ directions of like nature shall not be issued quashing the letter bearing No. F.32 (1)-1/ JT/ AR-39/AD-2013/55-59 dated 02.04.2024:

iv) Issue Rule upon the Respondents to show cause as to why a writ in the nature of certiorari and/or order/orders, direction/ directions of like nature shall not be issued calling for the records pertaining to the instant writ petition from the custody of the Respondents and make the Rules absolute after hearing the both sides.

AND

Make the Rules absolute after hearing the Parties

AND

Pass any other order/orders as this Hon'ble High Court may consider fit and proper."

2. Heard Mr. K. Datta, learned counsel appearing for the petitioner as well as Mr. K. De, learned Addl. G.A. appearing for the State-respondents.

3. Mr. K. Datta, learned counsel appearing for the petitioner submits that his client applied for obtaining permission for extraction of 207 nos trees on 07.02.2020, but, no extraction permit was obtained. In this regard, the petitioner has also submitted a representation dated 27.03.2024, but, no effective order/permission was made by the respondents in this regard.

4. It is seen from the record that the petitioner has applied for permission way back in 2020 and in the impugned order dated 02.04.2024, it is stated that the Tree Registration Certificate is valid for 07(seven) years from the date of issue.

5. Accordingly, in view of the same, the impugned order dated 02.04.2024 is set aside, and the matter is remanded back to respondent No.2. The respondent No.2 is directed to consider the case of the petitioner within a period of 1(one) month from the date of receipt of the copy of this order in accordance with law by considering the request made by the petitioner way back in 07.02.2020. The petitioner is at liberty to personally meet the 2nd respondent herein and appraise the facts as required.

6. With the above observation and direction, this present writ petition stands disposed of. Stay if any stands vacated. Pending application(s), if any also stands closed.

JUDGE

suhanjit
RAJKUMAR
SUHANJIT
SINGHA

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RAJKUMAR
SUHANJIT SINGHA
Date: 2024.07.02
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