



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4561 of 2023
and
W.M.P(MD)No.4272 of 2023

M.Thirupathi

...Petitioner

Vs

1. The District Forest Officer,
Ramanathapuram Division,
Ramanathapuram District.

2. The Forest Range Officer,
R.S.Mangalam,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in his proceedings Se.Mu.Aa.No. 4507/2021/K dated 05.01.2023 and quash the same and direct the respondents to refund the amount of Rs.1,38,167/- to the petitioner.

For Petitioner : M/s.V.Panneer Selvam

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader

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ORDER

The present writ petition has been filed seeking to quash the order passed by the first respondent herein on 05.01.2023 wherein the payment made by the writ petitioner towards 1/3 of the auction amount has been forfeited.

2. The petitioner has participated in the tender process conducted by the second respondent for cutting and removing of karuvella trees. As per the tender conditions, the petitioner has to deposit 1/3 amount within a period of 30 days. Accordingly, the petitioner has paid the said amount. The balance amount has to be paid within a period of 30 days. However, the petitioner has not chosen to pay the balance amount.

3. The respondents officials have issued a communication to the writ petitioner on 14.02.2022, 06.05.2022 and 10.06.2022 and final notice was issued to the writ petitioner on 18.08.2022 calling upon him to pay the balance 2/3 amount. However, the petitioner has not chosen to deposit the same.

4. The respondent officials have conducted an inspection on 03.09.2022 and found that the allegation of the writ petitioner that all the karuvella trees



were cut and removed by the Public Works Department officials is not correct and the area allotted for the writ petitioner has not been covered by the Public Works Department officials. Thereafter, the petitioner has chosen to send a communication on 05.09.2022 to contending that the entire kanmai is full of water and therefore, he is not able to cut and remove the karuvela trees.

5. On 06.12.2022, another inspection has been conducted by the respondent officials and the impugned order has been passed on 05.01.2023 forfeiting the 1/3 of the amount that was deposited by the writ petitioner. This order is put to challenge in the present writ petition.

6. A perusal of clause-vii of the tender conditions reveal that, in case if the balance 2/3 amount is not paid within the time specified, the tender would be cancelled and the 1/3 amount that was paid would get forfeited. In such circumstances, the petitioner having not chosen to either deposit the 2/3 amount or send any communication with regard to his grievance over the cutting and removing of the karuvela trees, he cannot complain about the forfeiture of the 1/3 of the amount deposited by him.



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7. With the above said observations, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is also closed. It is needless to point out that the petitioner is entitled to participate in the future auction.

29.01.2026

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

To

1. The District Forest Officer,
Ramanathapuram Division,
Ramanathapuram District.

2. The Forest Range Officer,
R.S.Mangalam,
Ramanathapuram District.



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R.VIJAYAKUMAR, J.

RJR

W.P.(MD)No.4561 of 2023

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