

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 02.12.2016****CORAM:****THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN****Writ Petition(MD)Nos.23512 to 23515 of 2016**

M/s.Gujarath Timber Depot,
No.33/17, Puthu Thottam,
Palladam Road,
Tiruppur, Tiruppur District,
Rep. By its Managing Partner,
Valji Patel ... Petitioner in W.P(MD)No.23512/2016

M/s.Ashok Timbers,
No.1, Meenakarai Salai,
Pollachi, Coimbatore District,
Rep. By its Managing Partner,
D.Gopal ... Petitioner in W.P(MD)No.23513/2016

M/s.Bagavathi Saw Mills,
Valparai Road,
Suleeswaram Patti,
Pollachi - 624 006,
Coimbatore District,
Rep. By its Managing Partner,
Sankarlal H.Patel ... Petitioner in W.P(MD)No.23514/2016

M/s.K.A.Patel & Sons,
No.245, Kottur Road,
Pollachi, Coimbatore District,
Rep. By its Managing Partner,
K.Narasilal Patel ... Petitioner in W.P(MD)No.23515/2016

Vs.

1.The State of Tamil Nadu,
Rep. By its Secretary,
Environment and Forest Department,
Chennai.

2.The District Collector,
Dindigul District, Dindigul.

3.The District Forest Officer,
Kodaikanal Division, Kodaikanal,
Dindigul District.

... Respondents
in all WP's



Prayer in W.P(MD)No.23512 of 2016:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 22.07.2016 to the effect that to extend the benefit which was granted to M/s.West Coats Paper Mills Limited, Dandeli, Karnataka in C.No.6309/05L, dated 17.08.2010 to the petitioner company namely M/s.Gujarath Timber Debot.

Prayer in W.P(MD)No.23513 of 2016:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 22.07.2016 to the effect that to extend the benefit which was granted to M/s.West Coats Paper Mills Limited, Dandeli, Karnataka in C.No.6309/05L, dated 17.08.2010 to the petitioner company namely M/s.Ashok Timbers.

Prayer in W.P(MD)No.23514 of 2016:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 21.07.2016 to the effect that to extend the benefit which was granted to M/s.West Coats Paper Mills Limited, Dandeli, Karnataka in C.No.6309/05L, dated 17.08.2010 to the petitioner company namely M/s.Bagavathi Saw Mills.

Prayer in W.P(MD)No.23515 of 2016:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 22.07.2016 to the effect that to extend the benefit which was granted to M/s.West Coats Paper Mills Limited, Dandeli, Karnataka in C.No.6309/05L, dated 17.08.2010 to the petitioner company namely M/s.K.A.Patel & Sons.

For Petitioner : Mr.V.Rajasekaran
(in all W.P's)

For Respondents : Mr.V.Muruganandam
(in all W.P's) Additional Government Pleader

COMMON ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents.

2.By consent, the Writ Petition itself is taken up for final disposal.



3. According to the petitioners, the petitioners' companies are registered partnership firms and they are all contractors and are awarded with a contract for cutting, removing of woods and other materials from the forest with some time stipulation. Due to various reasons, the petitioners were not able to remove the trees. In the above circumstances, since the petitioners violated the condition, the amount paid by the petitioners were forfeited by the respondents. Earlier, the respondents granted some exemption to the Tamil Nadu News Print Limited to remove the trees. Seeking the same relief, the petitioner filed a batch of Writ Petitions in W.P(MD)Nos.1987 and batch etc., and this Court by an order, dated 20.10.2010, dismissed the Writ Petitions holding that since the Tamil Nadu News Print and Papers Limited is only a Government owned company, so they were granted some extension and the petitioners, who are private contractors, seeking such a prayer is misconceived.

4. Now, according to the petitioners, same exemption was granted to one M/s. West Coats Paper Mills Limited, Dandeli, Karnataka, a private contractor. In the above circumstances, the petitioners made representation before the third respondent seeking similar exemption. So far no order has been passed by the third respondent. Hence, the petitioner has filed the present Writ Petitions.

5. In the above circumstances, without going into the merits of the matter, since the petitioners' representation is pending from 22.07.2016, the second and third respondents are directed to consider the petitioners' representation, after giving opportunity to the petitioners, and pass suitable orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

ps
To

1. The Secretary, The State of Tamil Nadu,
Environment and Forest Department, Chennai.



2.The District Collector, Dindigul District, Dindigul.

3.The District Forest Officer, Kodaikanal Division,
Kodaikanal, Dindigul District.

+4CC to Mr.V.Rajasekaran, Advocate Sr.Nos.78542, 78543, 78544
and 78545

+1CC to Spl.Government Pleader Sr.No.79464

GJM/SKN/23.12.16-4p-9C

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