

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4556 of 2017

and W.M.P.No.4771 of 2017

S.Dhanasekar

.. Petitioner

vs.

1.The Principal Chief Conservator of Forest
& Head of Forest Force,
Chennai-600 016.

2.The Conservator of Forests,
Chennai Circle,
DMS Building II Floor,
Teynampet, Chennai.

3.The District Forest Officer,
Social Forestry Division,
Collectorate Building Campus,
Tiruvallur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to refund the amount of Rs.14,50,000/- remitted by the petitioner on 21.11.2016 towards 1/3rd of the Bid amount in the auction held on 21.11.2016, with interest on the delayed payment as deem fit.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.N.Inbanathan,
Government Advocate (Forests)

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2.The petitioner claims that he is a registered Forest Contractor in the Forest Department of Government of Tamil Nadu and the third respondent has issued a notification dated 20.10.2016 for auction of fire wood trees "Karuvelam" in

Tiruttani and Ponneri Social Forestry Range in Tiruvallur District, to be held on 21.11.2016 and accordingly, the petitioner participated in the auction and became the successful bidder and also remitted 1/3rd of the bid amount i.e., Rs.14,50,000/-. The petitioner would further aver that while he was awaiting orders of confirmation, on account of "Vardha" cyclone, trees located in the said range got uprooted and as a consequence, the third respondent also did not pass orders of confirmation and despite very many representations seeking return of the 1/3rd bid amount paid, no response is forthcoming and hence, came forward to file this writ petition.

3. Mr.M.Ravi, learned counsel appearing for the petitioner would submit that it would be suffice to direct the third respondent to consider and dispose of the petitioner's representation dated 19.12.2016 and 20.01.2017 in accordance with law within a stipulated time frame.

4. Heard the submissions of Mr.N.Inbanathan, learned Government Advocate (Forest) who accepts notice on behalf of the respondents.

5. Though the petitioner prays for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representation dated 19.12.2016 and 20.01.2017, after affording an opportunity of personal hearing to the petitioner and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

sd/

Assistant Registrar(CS V)

/true copy/

Sub Assistant Registrar

jvm
To

1.The Principal Chief Conservator of Forest
& Head of Forest Force,
Chennai-600 016.

2.The Conservator of Forests,
Chennai Circle,
DMS Building II Floor,
Teynampet, Chennai.

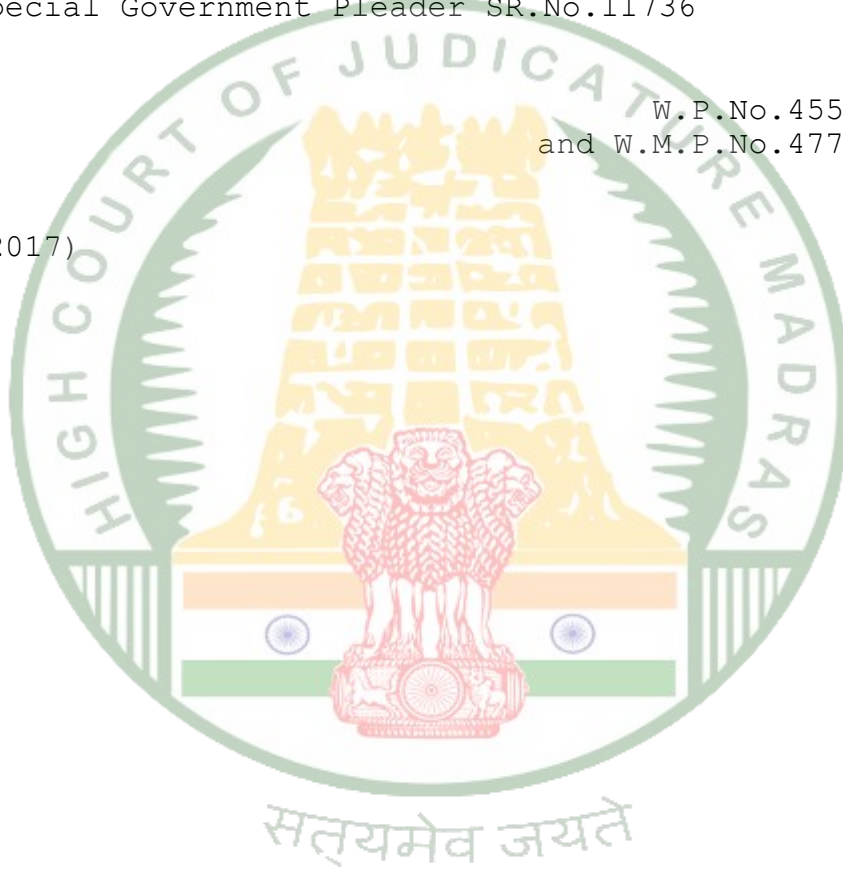
3.The District Forest Officer,
Social Forestry Division,
Collectorate Building Campus,
Tiruvallur.

+lcc to Mr.M.Ravi, Advocate SR.No.12244

+lcc to Special Government Pleader SR.No.11736

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MSM(CO)
GN(08/03/2017)



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