

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.147 of 2017

T.Stalin

.. Petitioner

Vs

1.The Principal Chief Conservator of Forest,
Panagal Maaligai, Saidapet,
Chennai - 600 015.

2.Conservator of Forests,
259, Anna Salai,
DMS Compound, III Floor,
Teynampet, Chennai - 6.

3.The District Forest Officer,
Thiruvallur Division,
Thiruvallur - 602 001.

4.The Divisional Forest Officer,
Thiruvallur Division,
Thiruvallur.

5.The Forest Range Office,
Social Forestry Range,
Ponneri - 601 204.

6.C.Jamal Sherif

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records of the third respondent relating to his impugned auction Notice issued in Na.Ka.No.3202/2015, dated 25.09.2015 published in Thiruvallur District Government Gazetter Notification dated 06.10.2015 and his confirmation letter in Na.Ka.No.L.884/2016, dated 23.06.2016 and his work order in Na.Ka.No.L884/2016, dated 20.07.2016, and quash the same and consequently, direct the third respondent herein to conduct the fresh auction in the Kakavakkam Village Babul Plantation in Thiruvallur District.

For petitioner : Mr.C.Prakasam
for Ms.L.Karthiga

For R1 to R5 : Mr.M.Santhanaraman, AGP (forest)

O R D E R

The petitioner challenges the auction dated 04.03.2016 conducted by the third respondent, in and by which, the tender pertaining to Kakavakkam Village Plantation was allotted to the sixth respondent.

2. When the matter is taken up, learned Additional Government Pleader appearing for the respondents 1 to 5 brought to the notice of this Court a judgment passed by me with regard to the same Kakavakkam Village Plantation in W.P.No.30173 of 2016, dated 16.12.2016. The prayer in the said writ petition filed by one Mr.Stalin, who is also the writ petitioner in the present writ petition, was that a direction to the respondents 3 and 4 therein / the District Forest officer and the Divisional Forest Officer of Thiruvallur Division to allot the tender in his favour. This Court, while dismissing the said writ petition, observed thus at paragraph 15:-

"15. It is seen that the Conservator of Forests, Chennai, in his letter dated 18.11.2015, has fixed the fair price of the Kakavakkam Babul Plantations at Rs.33,96,938/-. The petitioner / T.Stalin has also participated in the auction proceedings conducted on 04.03.2016 at the District Forest office, Thiruvallur, and thereby he has also deposited the EMD for participating in the auction. During the public auction, the petitioner has given a bid for two plantations, including Kakavakkam babul plantation, however, he did not offer any bid, while auction was conducted for Kakavakkam plantation. The highest bid for the said plantation was quoted by the fifth respondent / Jamal Sheriff to the tune of Rs.46,02,000/-, which is more than the fair price fixed by the Government. Thus, I do not find any merit on the contention of the petitioner to allot the tender in his favour although was is ready to pay more than the amount quoted by the said Jamal Sheriff, for, he had failed to take part in the auction nor quoted any bid amount, while the auction was conducted

for Kakavakkam Plantation. Besides, he has no-locus standi now to seek a direction to the authorities to allot such tender in his favour, for, he was a stranger to the auction held on 04.03.2016."

3. As could be seen from the extracted portion, the writ petitioner herein had failed to take part in the auction conducted on 04.03.2016 nor he quoted any bid amount to allot tender in his favour pertaining to Kakkavakkam Village Babul Plantation. Thus, the present writ petition filed by the same writ petitioner challenging the same auction proceedings conducted on 04.03.2016 cannot be sustained, as he was a stranger to the auction held on 04.03.2016 as observed in the above said judgment.

4. Thus, the present writ petition fails and the same is dismissed as devoid of any merit. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rkm

To

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Thiruvallur.

5.The Forest Range Office,
Social Forestry Range,
Ponneri - 601 204.

+1cc to the Government Pleader, S.R.No.738

rp(CO)
md(27/01/2017)

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