



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 15.04.2021

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CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.7830 of 2021
(Through Video Conferencing)

R.Palsamy ... Petitioner

Vs.

- 1.The District Collector
Office of the Collectorate Complex,
Sivagangai, Sivagangai District
- 2.The District Revenue Officer,
Office of the Collectorate Complex,
Sivagangai, Sivagangai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai, Sivagangai District
- 4.The Tahsildar,
Office of the Tahsildar
Sivagangai, Sivagangai District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to extend the lease period for the cutting down of Seema Karuvelam Trees in S.No.92 of the Idaikattoor Village in Sivagangai District as per the proceedings of the 4th respondent in Na.Ka.No.A5/1443/2018 dated 30.07.2018 and by the representation of the petitioner dated 22.02.2021.

For Petitioner :Mr.S.Ramsundar Vijayraj for
M/s.Veera Associates
For Respondents :Mr.P.Mahendran
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to consider the representation
<https://hcservice.sams.gov.in/cse/cds>



made by the petitioner on 22.02.2021, wherein, the petitioner has sought for extension of his license period for completing the work allotted to the petitioner through the proceedings of the third respondent dated 27.04.2017.

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2. The case of the petitioner is that a tender was called for cutting down the Seemakaruvelam Trees in Idaikattur revenue village. The petitioner participated in the tender and he was the highest bidder. The third respondent, by proceedings dated 27.04.2017, granted license to the petitioner. The petitioner was not able to substantially carry out the work due to the monsoon rains and the water stagnation in the concerned water tank.

3. The petitioner therefore, made a representation to the respondents seeking for extension of time in order to complete the work. The 4th respondent, on receipt of the representation, directed the revenue Inspector to inspect and file a report. Based on the report of the revenue Inspector dated 23.02.2018, the fourth respondent recommended for the extension of time limit in order to enable the petitioner to complete the work.

4. The grievance of the petitioner is that the third respondent has not acted upon the recommendation made by the fourth respondent and the same is pending till date. The petitioner also made a further representation on 22.02.2021 and this was also not acted upon. According to the petitioner, the third respondent has extended the time limit for the completion of the work for the similarly placed persons. To substantiate this stand taken by the petitioner, relevant documents have been filed in the typed set of papers and they are found at Pages 15, 18 and 20.

5. Heard Mr.S.Ramsundar Vijayaraj, learned counsel for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader, appearing on behalf of the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to act upon the recommendation made by the fourth respondent through letter dated 30.07.2018 and take a decision regarding extension of time for the completion of the work by the petitioner, within four weeks from the date of receipt of a copy of this order, on its own merits and in accordance with law.

7. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents, along with a copy of this order. A copy of the representation shall also be marked to the fourth respondent.



8. This writ petition is disposed of with the above direction.
No costs.

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Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector
Office of the Collectorate Complex,
Sivagangai, Sivagangai District
- 2.The District Revenue Officer,
Office of the Collectorate Complex,
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- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
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- 4.The Tahsildar,
Office of the Tahsildar,
Sivagangai,
Sivagangai District

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-15954[F] dated 16/04/2021)

+1 CC to M/s.SPL GP (SR-16016[F] dated 16/04/2021)

W.P. (MD)No.7830 of 2021

15.04.2021

MJ(CO)

AS(12.05.2021) 3P 7C

<https://hcservices.ecourts.gov.in/hcservices/>