



WEB COPY



W.P. No. 26429 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 26429 of 2022

V.Dhayalamani

... Petitioner

-VS-

1. The Union of India,
Rep.by Secretary to Government,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aligani, New Delhi – 110 003.
2. The Joint Secretary to Government,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aligani, New Delhi – 110 003.
3. The Director (EE)
EE Division,
Ministry of Environment, Forests & Climate Change,
New Delhi – 110003.
4. The State of Tamil Nadu,
Rep.by its Secretary to Government,
Environment, Forests & Climate Changes Department,
Secretariat, Chennai – 600 009.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents to consider and dispose the Petitioner's representation and grant-in-aid application's dated 05.06.2022 on merits and accordance with law.



WEB COPY



W.P. No. 26429 of 2022

For Petitioner : Mr. D.Irusappan for
Mr. K.Mohanraj

For Respondents : Mr. C.Kulandaivel,
Senior Panel Counsel
(for R1 to R3)

Mr. T.Arunkumar,
Additional Government Pleader
(for R4)

ORDER

Heard Mr. D.Irusappan, Learned Counsel for the Petitioner, Mr. C.Kulandaivel, Learned Senior Panel Counsel appearing for the First to Third Respondents and Mr. T.Arunkumar, Learned Additional Government Pleader appearing for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2 The Writ Petition has been filed for directing the First to Third Respondents to pass orders on the application for grant-in-aid dated 05.06.2022 made by the Petitioner on merits and in accordance with law.



W.P. No. 26429 of 2022

WEB COPY

3. In support of the claim made by the Petitioner, he had referred to Letter in L. Dis. No. 19267/EC2/2021-1 dated 03.03.2021 sent by the Fourth Respondent, but the Additional Chief Secretary to Government of Tamil Nadu by Letter No. 15405/Ec.2/2021-5 dated 13.10.2022 has informed to Learned Additional Government Pleader appearing for the Fourth Respondent that the said letter produced by the Petitioner is forged one for the following reasons:-

- “(i) *No file starts with the Number L.Dis.*
- (ii) *No Grant-in-Aid proposal has been received in this department.*
- (iii) *No letter is signed with By Order, it is applicable only for the Government orders issued.*
- (iv) *All correspondence to Ministry of Environment, Forests & Climate Change are addressed only at the Secretary Level and not at Joint Secretary Level.*
- (v) *All proposals forwarded would have the name of the specific Officer concerned with the section or division dealing and will never be addressed as the Officials concerned.*
- (vi) *The format is not the usual format.”*



W.P. No. 26429 of 2022

WEB C The First to Third Respondents has also filed Reply-Affidavit dated 13.10.2022

denying the claim of the Petitioner and with supporting documents in that regard.

4. In that backdrop, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition and he has made an endorsement to that effect in the court record. However, it would not preclude the Respondents from taking appropriate action against the Petitioner in accordance with law.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

19.10.2022

kv

Index: Yes/No

Note: Issue order copy by 16.11.2022.

To

1. The Secretary to Government of India,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aligani, New Delhi – 110 003.



W.P. No. 26429 of 2022

2. The Joint Secretary to Government,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
Aligani, New Delhi – 110 003.
3. The Director (EE)
EE Division,
Ministry of Environment, Forests & Climate Change,
New Delhi – 110003.
4. The Secretary to Government,
The State of Tamil Nadu,
Environment, Forests & Climate Changes Department,
Secretariat, Chennai – 600 009.



WEB COPY



W.P. No. 26429 of 2022

P.D. AUDIKESAVALU, J.

kv

W.P. No. 26429 of 2022

19.10.2022