



W.P. (MD) No. 1175 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

W.P. (MD) No. 1175 of 2020

and

W.M.P.(MD)No. 4322 and 924 of 2020

V.Ramakrishnan

... Petitioner

Vs.

1.The Chief Conservator of Forest (HOFF),
Genis Road, Panagal Mazhigai,
Saidapet, Chennai.

2.The District Collector,
Tirunelveli.

3.The Chief Conservator of Forest,
Tirunelveli Circle,
Tirunelveli.

4.The Divisional Forest Officer,
Social Forestry Division,
N.G.O.Colony,
North Main Street,
Tirunelveli.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, Calling for the entire records pertaining to the order passed by the 4th respondent through his proceedings in Na.Ka.No. 1220/2015 Ku dated 09.10.2019 and vide his consequential order Na.Ka.No. 1220/2015-Ku dated 16.12.2019 and quash the same.

For Petitioner : Mr. T.Lajapathi Roy
For Respondents : Mr. D.Gandhiraj
Special Government Pleader

ORDER

Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to the Petitioner to seek the relief sought by invoking Clause 57 of the Contract between the parties, which reads as follows:-

“57. In case of any dispute arising between the Divisional Forest Officer and the Contractor/President as to any matter under this agreement other than one as to which the decision of the Divisional Forest Officer is hereby declared to be final such dispute shall be referred to the Collector of the district within two months from



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the date of receipt of the order of the Divisional Forest Officer and the Collector's decision thereon shall be final.”

He had also made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn, granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 21.01.2020, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

23.12.2022

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Index : Yes/No

Internet : Yes/No

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Note: (i) Issue order copy by 30.01.2023.

(ii) Registry is directed to return the original copy of the impugned order under written acknowledgment after retaining a copy of the same for record.

To

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WEB COPY



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P.D.AUDIKESAVALU,J.

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