

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.22127 of 2022

M.A.M.Mohamed Meera

... Petitioner

Vs.

1.The Additional Principal Chief Conservator of Forests,
Madurai Circle,
2, Race Course Road,
Madurai-625 002.

2.The District Forest Officer,
Madurai Division,
2, Race Course Road,
Madurai-625 002.

3.The Forest Ranger,
Usilampatti Forest Range Office,
Usilampatti,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to dispose of the appeal pending on their file within a time stipulated by this Court.

For Petitioner : Mr.J.Anandkumar
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed praying for a writ of Mandamus directing the 1st Respondent to dispose of the appeal.

2. Mr.S.Shanmugavel, learned Additional Government Pleader takes notice for the Respondents.

3. The Petitioner is a registered Contractor with the Respondent (Forest). During the Month of September 2019, the 3rd Respondent called for tender for construction of channel retaining wall No.4 in Elumalai Kappukkadu. The Petitioner participated in the tender and was declared successful bidder. The Petitioner was directed to begin the work by proceedings, dated 23.10.2019 and to complete the same on or before 10.11.2019. The Petitioner approached the 3rd Respondent vide communication, dated 23.10.2019 seeking for extension of time to complete the work, the Respondents issued notice stating the Petitioner has not completed the work within the time agreed upon. The 2nd Respondent issued a show cause notice, dated 25.05.2021 for blacklisting the Petitioner from the

list of registered Contractors. On receipt of the same, the Petitioner submitted a detailed reply, dated 04.06.2021 stating that the work was stopped by the Respondents themselves. The 2nd Respondent removed the Petitioner from the list of Contractors and blacklisted the Petitioner for a period of three years, by order, dated 06.08.2021 without considering the Petitioner's explanation and the fact that the Respondents are not permitted the Petitioner to complete the work. Aggrieved by the same, the Petitioner preferred an appeal, dated 16.08.2021 before the 1st Respondent.

4. It is submitted by the learned counsel for the Petitioner that for more than a year has gone by, however, the appeal has not been disposed of and is still kept pending before the 1st Respondent which also has an adverse impact on the Petitioner's right to seek renewal of licence/Registrations in other Districts. It is also submitted that the appeal may be disposed of within a time limit fixed by this Court.

5. It is submitted by the learned Additional Government Pleader that endeavour would be taken to dispose of the appeal at the earliest not later than a period of three months.

6. Recording the same, the Appellate Authority is directed to dispose of the appeal, dated 16.08.2021 filed by the Petitioner at the earliest not later than a period of three months from the date of receipt of copy of this order. The writ petition stands disposed of. No costs.

20.09.2022

Index : Yes / No
Internet : Yes/ No
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To

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MOHAMMED SHAFFIQ, J.

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