



W.P.(MD)No.25202 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.25202 of 2022

P.Karnan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep., by its Secretary,
Environment, Climate Change &
Forest Department,
Fort St.George, Chennai 600 009.
- 2.The Principal Secretary to Government
Planning, Development & Special
Initiative (TC-I) Department,
Government of Tamil Nadu,
Fort St.George, Chennai 600 009.
- 3.The Principal Chief Conservator of Forest,
(Head of Forest Department)
Panagal Buildings,
Saidapet, Chennai 600 015.
- 4.The Conservator of Forests & Field
Director,
Srivilliputhur Megamalai Tiger Reserve,
Madurai 625 002.
- 5.The Deputy Director,
Srivilliputhur Megamalai Tiger Reserve
Megamalai Division, Theni 625 531.
- 6.Thiru.T.Sivaji,
Forest Range Officer, Chinnamanur Range,
Srivilliputhur Megamalai Tiger Reserve,
Chinnamanur, Theni District.

... Respondents



W.P.(MD)No.25202 of 2022

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 6 herein to release the bill amount of Rs.12,19,933/- due for payment as per measurement book as per the representation of the petitioner dated 10.08.2022 submitted before the 3rd Respondent.

For Petitioner :Mr.K.Appadurai
For Respondents :Mr.M.Senthil Ayyanar
Government Advocate

ORDER

This writ petition is filed to direct the respondents to release the bill amount of Rs.12,19,933/- due for payment as per measurement book as per the representation of the petitioner dated 10.08.2022 submitted before the 3rd Respondent.

2.It is submitted by the learned counsel for the petitioner that as per Section 101 of Tamil Nadu Forest Department Code, the petitioner handed over the charge of Chinnamanur Range on 22.05.2022 itself by effecting Transfer Charge Report in Form No.18. But when the petitioner handed over and tried to hand over the notes of instructions as defined under Section 98, narrating the work in progress and project in



W.P.(MD)No.25202 of 2022

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Chinnamanur Range together with comments on all matters of importance and of outstanding amount pending payment for completed works, the 6th Respondent herein refused to receive the same and details of amount pending payments along with bills thereof. In spite of detailed reply along with proof of bills, documents for pending payments totalling Rs.12,19,933/-, the fund has not been released till date by the 5th Respondent. Due to the same, the petitioner has submitted his representation on 10.08.2022, which is pending. Hence, the writ petition.

3.Mr.M.Senthil Ayyanar, learned Government Advocate, would submit that the above representation would be considered and pass orders thereon in accordance with law.

4.Considering the limited scope of the prayer sought for in this writ petition, there shall be a direction to the respondents herein to consider the representation of the petitioner, dated 10.08.2022 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable



W.P.(MD)No.25202 of 2022

opportunity to the petitioner and other stake holders/interested parties, if any. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the respondents to consider the same on its own merits.

5.With the above direction, this writ petition stands disposed of.

No costs.

21.11.2022

Index : Yes / No

Speaking Order : Yes / No

sbm



W.P.(MD)No.25202 of 2022

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- To
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W.P.(MD)No.25202 of 2022

MOHAMMED SHAFFIQ, J.

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W.P.(MD)No.25202 of 2022

21.11.2022