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W.P.No.19895 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM

THE HONOURABLE Mr.JUSTICE S.SOUNTAR

W.P.No.19895 of 2023

P.Kannaiyan

... Petitioner

Vs.

1. The Principal Chief Conservator of Forest &
Head of Forest Force,
Joint Forest Management,
Velacherry Main Road,
Guindy, Chennai-32.
2. The Additional Principle Chief Conservator of Forests,
Dharmapuri Forest Circle,
District Collector Office backside,
Dharmapuri District.
3. The Divisional forest Officer,
Social Forestry & Forest Extension Division,
Krishnagiri.

... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to disburse the Guarantee fund of Rs.7,68,830/- by considering the petitioner's representation dated 04.05.2022 within time frame.



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For Petitioner : Ms.K.Jenitha
For Respondents : Mr.P.Ananda Kumar
Government Advocate
for R1 to R3

ORDER

The petitioner seeks a direction to the respondents to disburse the Guarantee fund of Rs.7,68,830/- by considering his representation dated 04.05.2022 within the time frame.

2. According to the petitioner, he is a Forest Contractor and the third respondent allotted certain civil works to the petitioner during the period 2010-2015. The petitioner completed all the works. In the meantime, the respondents deducted 5% of the value of work executed by the petitioner as Guarantee Fund. Eventhough the civil works have been completed nearly 10 years back during the year 2014-2015, the respondents failed to refund the Guarantee Fund retained by them. Therefore, the petitioner made a representation to the third respondent on 04.05.2022 seeking refund of Guarantee Fund retained by the respondents. The grievance of the petitioner is that the said representation has not been considered by the respondents.



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3. Mr.P.Ananda Kumar, learned Government Advocate takes notice for the respondents 1 to 3 and submits that already proposal has been sent by the third respondent to the second respondent and the papers are pending on the file of the second respondent.

4. In these circumstances, the second respondent is directed to consider the representation of the petitioner dated 04.05.2022 and pass necessary orders in accordance with law within a period of twelve(12) weeks from today.

5. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

06.07.2023
(1/2)

Index: Yes/No

Speaking/Non speaking order

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S.SOUNTHAR, J.

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To

1. The Principal Chief Conservator of Forest &
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