



WEB COPY



W.P. No. 33867 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM

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

W.P. No. 33867 of 2023

S.Dhanasekar

... Petitioner

-VS-

1. The Principal Chief Conservator of Forest,
Head of the Forest Force,
Panagal Building,
Saidapet,
Chennai – 600 015.

2. The Conservator of Forests,
Chennai Circle,
DMS Building II Floor,
Teynampet,
Chennai.

3. The District Forest Officer,
Social Forestry Division,
Collectorate Building Campus,
Tiruvallur.

4. The District Forest Officer,
Tiruvallur Division,
Tiruvallur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to permit the Petitioner to deposit the 2/3rd of the bid amount based on the auction conducted on 26.11.2016 and the communication of the Third Respondent



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dated 16.02.2017 and to complete the project of cut and removal of Karuvel trees for firewood at Ponneri Social Forestry Division, 1938, Vanjivakam, Tiruvallur District, based on the Petitioner's representation dated 17.12.2023.

For Petitioner : Mr. C.Prabakaran

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate

ORDER

Heard Mr. C.Prabakaran, Learned Counsel for the Petitioner and Mr. S.J.Mohamed Sathik, Learned Government Advocate, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representation dated 17.12.2022 to the Third Respondent to permit him to deposit two-thirds of the bid amount based on the auction conducted on 26.11.2016 and the Proceedings in Na. Ka. No. 5104/2016/L dated 16.02.2017 issued by the Third Respondent and to complete the project of cutting and removing karuvel trees for firewood in Ponneri Social Forestry Division, 1938, Vanjivakam, Tiruvallur District, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



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3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 17.12.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;
- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and



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(vi) the report of such compliance shall be filed by 31.03.2024 before the

Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

08.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 08.01.2024.

vjt

To

1. The Principal Chief Conservator of Forest,
Head of the Forest Force,
Panagal Building,
Saidapet,
Chennai – 600 015.
2. The Conservator of Forests,
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Tiruvallur.



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Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. S. Dhanasekar,
S/o. Sundaramurthi,
No. 72, Nallan Pattrarari,
Big Street, Velampadi,
Vellore 632 001.



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P.D. AUDIKESAVALU, J.

vjt

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