



W.P(MD)No.148 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.148 of 2023

M.Vairavalli

... Petitioner

Vs

1.The Principal Chief Conservator of Forest,
Head of the Forest Force,
No.1, Panagal Building,
Saidapet,
Chennai.

2.The District Forest Officer,
Office of the District Forest Officer,
Sivagangai,
Sivagangai District.

3.The Conservator of Forest and
Field Director,
Srivilliputhur and
Magamalai Tiger's Sanctuary,
Race Course Road,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reassess the value of trees and confirm the bid pursuant to the auction conducted on 16.10.2020 in respect of cutting and removal of Karuvel Trees at 1988



W.P(MD)No.148 of 2023

Thirupuvanam Kanmai Thottam Bit - II (25.30 Hectare) in favour of the petitioner on the basis of the representation of the petitioner dated 19.08.2022.

For Petitioner : Mr.K.Chellapandian
Senior Counseling
for A.K.Baskarapandiyan

For Respondents : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents.

2.The petitioner had taken part in the petition mentioned auction process held in October 2020. The grievance of the petitioner is that till date the process has not been confirmed. The stand of the respondents is that in view of the pendency of W.P(MD)No.14363 of 2020 which has been tagged to W.P(MD)No.14376 of 2020, the respondents are not in a position to take a call. The learned Senior Counsel appearing for the petitioner draws my attention to the Paragraph No.8 of the order dated 14.10.2020 made in W.P(MD)No.14363 of 2020. It reads as follows:

“8. In the earlier matter also, this Court had directed the Registry to place the Writ Petition before the Division Bench along with other connected matters. This Writ Petition also challenged the very same notification. Hence, this writ petition



W.P(MD)No.148 of 2023

is also directed to be placed before the Division Bench. However, any auction conducted under the impugned auction notification with regard to Serial Nos.50 to 53 pertaining to Thiruppuvanam Panchayat, shall be subject to the outcome of the Writ Petition. In case, the petitioner succeeds in this Writ Petition, the contract awarded by the third respondent to any successful third party pertaining to the Serial Nos.50 to 53, shall stand automatically cancelled.”

It can be seen from the above that any intervening development will abide by the outcome of the writ petition. No restraint order has been passed against the second respondent. The second respondent is therefore directed to pass order on the petition mentioned representation on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. There shall be no order as to costs.

13.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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W.P(MD)No.148 of 2023

G.R.SWAMINATHAN, J.

MGA

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