



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2737 of 2019
and M.P.No.3002 of 2019

M.A.M.Mohammed Meera

.. Petitioner

Vs.

1.The District Forest Officer,
Villupuram Division,
Collectorate Master Plan Campus,
Near Circuit House,
Villupuram 605 602.

2.The Forest Range Officer,
Tindivanam Forest Range Office,
Villupuram District.

3.Mr.Periyannan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the 1st respondent in Proceedings in Se.Mu.AA.N.8076/2017-Va dated 03.05.2018 and quash the same as illegal, arbitrary and non- est in law.

For Petitioner

.. Mr.M.Ravi

For Respondents

.. Mr.T.Seenivasan

Special Government Pleader for R1 & R2

**ORDER**

This writ petition has been filed in the nature of certiorari seeking to call for records of the 1st respondent, The District Forest Officer, Villupuram District in proceedings in Se.Mu.AA.N.8076/2017-Va dated 03.05.2018 and quash the same.

2.In the affidavit filed in support of the writ petition, the petitioner has stated that he is a registered contractor with the Tamil Nadu Forest Department under the provisions of the Tamil Nadu Forest Code. He had participated in the tender called by the Forest Department for civil work and awarded contracts time to time. The Villupuram Forest Ranger had issued a tender notification on 29.01.2018 for creation of High Guaged Chain Linked Fencing at Reach-I, II & III at Usudu Birds Sanctuary Lake. The petitioner had participated in the tender. He was awarded the work on 05.02.2018. It had been contended that the Forest Ranger had been demanding commission. However there is no record produced about any complaint made in that regard by the petitioner herein. He however claims that he had made a complaint before the District Forest Officer and Directorate of Vigilance and Anti-Corruption. It had been stated that he had commenced the work and made necessary efforts to complete the work. He complains that the 2nd respondent had not handed over the site. He also complains that the 2nd respondent did not depute any field officials to demarcate the boundaries of forest land and on private lands where fencing have to be erected. In the meanwhile,



adverse entries had been made in the measurement book and forwarded to the District Forest Officer. The impugned order was processed on 03.05.2018, blacklisting the petitioner for a period of two years. The writ petition has been filed questioning such order passed.

3.A counter had been filed by the 1st respondent, District Forest Officer, Villupuram, wherein, it had been stated that the petitioner had been granted opportunity and was granted time till 20.03.2018 to complete and finish the work. It had been very specifically contended that the work awarded should be completed on or before 31.03.2018/end of the financial year. It had been stated that an earlier show cause notice had been issued on 06.03.2018, as to why the security deposit remitted by him should not be forfeited. It had been further stated that the petitioner had been extremely obtuse in concluding the work. A further show cause notice had been issued on 21.03.2018. The petitioner had not replied to the same. It had also been stated that therefore taking advantage of Section 130(c) of the Tamil Nadu Forest Code and Rule 7, an order was passed black listing the petitioner/contractor for a period of two years from 03.05.2018. It had also been stated that there is an appeal provision before the Conservator of Forest at Villupuram. The writ petitioner had come to Court without even filing such an appeal. It is not stated that there was no efficacious appeal remedy.



C.V.KARTHIKEYAN,J.

SSR

4.The period of blacklisting has long since lapsed. I am not inclined to interfere.
The writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

18.11.2024

Index:Yes/No
Internet:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
ssr

To

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