



W.P.No.9972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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P. Krishnamurthy

...Petitioner

Vs

1. The Principal Chief Conservator of Forest,
Head of the Forest Force,
Guindy- Velacherry Main Road,
Kanaigapuram Check Post,
Guindy, Chennai -32

2. The Conservator of Forests,
Office of Conservator of Forest
Vellore Forest Division,
Pillaiyar Kovil Street,
Rangapuram, Sathuvachari,
Vellore.

3. The District Forest Officer,
Office of District Forest Office,
Pillaiyar Kovil Street,
Rangapuram, Sathuvachari,
Vellore.

4. The Forest Range Officer,
Gudiyatham Social Forest Range,
No.202, Raja Kovil Street, Gandhi Nagar,
Gudiyatham Taluk, Vellore

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 31.01.2024 and consequently direct the respondents to refund the 100% of the bid amount deposited by the petitioner and also the security deposit amount of 10%, Income Tax of 2.5% and Education cess of 3% paid in pursuance of Na.Ka.No.12096/19/L dated 25.11.2019, in respect of 1979 – Kamarajapuram measuring an extent of 25 hectares, Gudiyatham Taluk, Vellore District within a time frame and pass orders.

For Petitioner : Mr. Adithya Varadarajan

For Respondent : Mr.S. Rajesh, Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to consider the petitioner's representation dated 31.01.2024 and consequently direct the respondents to refund the 100% of the bid amount deposited by the petitioner and also the security deposit amount of 10%, Income Tax of 2.5% and Education cess of 3% paid in pursuance of Na.Ka.No.12096/19/L dated 25.11.2019,



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in respect of 1979 – Kamarajapuram measuring an extent of 25 hectares,
Gudiyatham Taluk, Vellore District and pass orders.

2. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the third respondent had issued a tender inviting for cutting Karuvelam trees for fire wood on 01.10.2019 in Na.Ka.No.4822/19/6. The petitioner also applied for the tender and tender was also awarded to the petitioner with certain conditions and the petitioner also complied with the conditions imposed in the award and also paid the requisite amount. The further case of the petitioner is that due to covid pandemic he was not able to carry out the allotted work. The grievance of the petitioner is that he has sent a representation to the third respondent on 31.01.2024 to return the amount deposited by the petitioner. However, the same was not considered. Hence this petition

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the third respondent to consider petitioner's application dated 31.01.2024 and pass orders.



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5. The learned Government Advocate appearing for the Respondents submitted that they will consider the case of the petitioner and take action in the manner known to law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any view on the merits of the controversy involved passes the following order:-

(i) the Respondents shall consider the petitioner's representation dated 31.01.2024 and ascertain 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 10 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;



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(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 shall be communicated under written acknowledgement.

(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 that order

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Index: Yes/No

Speaking order/Non-speaking order

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V.BHAVANI SUBBAROYAN,J.

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