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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM

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

W.P.No.33915 of 2024

N.Premavathi

.. Petitioner

Vs.

1. The Principal Secretary to Government,  
Environment, Climate Change – Forest Department,  
Chennai – 9.
2. The Additional Chief Secretary to Government,  
Environment, Climate Change – Forest Department,  
Chennai – 9.
3. The Principal Chief Conservator of Forests  
(Head of Forest Force)  
Chennai – 32.
4. The Conservator of Forests,  
Salem Circle,  
Salem – 636 007.
5. The Divisional Forest Officer,  
Attur Division,  
Attur, Salem.
6. The Principal Accountant General,  
Office of the Principal Accountant General,  
Chennai – 600 018.
7. The Pay Accounts Officer,



Pay and Accounts Office,  
Chennai – 35.

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8. The Private Secretary to Additional Chief Secretary to Government,  
Environment, Climate Change – Forest Department,  
Chennai – 9.

9. The Finance  
Environment, Climate Change – Forest Department,  
Chennai – 9.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3<sup>rd</sup> respondent to refund a sum of Rs.3,93,462/- as per the G.O.(D) No.220 dated 22.09.2022 with interest from the date of the Government Order till disbursal of the refund along with the petitioner's security deposit amount for the tender dated 13.11.2002, a sum of Rs.20,200/-.

For Petitioner .. Mr.B.A.Sujay Prasanna

For Respondent .. Dr.T.Seenivasan,  
Special Government Pleader.

## ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the 3<sup>rd</sup> respondent, the Principal Chief Conservator of Forests, Chennai, to refund a sum of Rs.3,93,462/- in accordance with



G.O.(D) No.220 dated 22.09.2022 together with interest from the date of the Government Order till the date of the actual disbursal. The petitioner also seeks refund of the security deposit which had been deposited for the tender dated 13.11.2002 for a sum of Rs.20,200/-.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had been determined as the highest bidder in an auction for collection and disbursal of wood from '1982 Ariyapalayam 9.50-hectare Babul Plantation'. The petitioner had quoted a sum of Rs.2,01,590/-. An agreement had also been entered into between the petitioner and the Divisional Forest Officer of the Interface Forestry Division -II Salem. The petitioner also commenced the work, but there were objections by the President of Kalarampatti Panchayat and also by the villagers. It was contended that the said land did not belong to Ariyapalayam Panchayat. The petitioner was therefore not able to execute the necessary work in compliance of the contract. Finally, the petitioner sought refund of a sum of Rs.3,93,462/-. Complaining that the amount had not been refunded, the present Writ Petition has been filed.



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3. In the counter affidavit filed on behalf of the respondents, it had been stated that the financial concurrence provided for refund had lapsed and that further concurrence will have to be obtained from the Government. It is stated that revalidation letter had been submitted to the 3<sup>rd</sup> respondent requesting revalidation of the Government Order issued in G.O.(D.) No.220 Environment, Climate Change and Forests (Fr.4) Department dated 22.09.2022. It is stated that once the revalidation order is obtained, the amount would be refunded to the petitioner herein.

4. Let that process continue. The amount should be refunded to the petitioner on or before 28.02.2025. If the petitioner has any objection or raises demand for interest, let a separate representation be given but let the principle amount be first received by the petitioner.

5. With the above observations, this Writ Petition stands disposed of.  
No costs.

19.12.2024

Index: Yes/No  
Internet: Yes/No  
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**C.V.KARTHIKEYAN,J.**

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