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W.P.(MD) No.10344 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD) No.10344 of 2017

V.Murugesan

... Petitioner

-vs-

- 1.The District Collector
Karur District
Karur
- 2.The Zonal Forest Conservator
O/o.Collectorate
Dindigul District
Dindigul
- 3.The Divisional Forest Officer
No.148/2, Navaladiyan Complex
Thanthonimalai
Karur-639 005



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4.The Superintendent
O/o.Divisional Forest Office
No.148/2, Navaladiyan Complex
Thanthonimalai
Karur-639 005

5.The Junior Draft Officer
No.148/2, Navaladiyan Complex
Thanthonimalai
Karur-639 005

6.The Forest Ranger
No.148/2, Navaladiyan Complex
Thanthonimalai
Karur-639 005

7.The Forest Ranger
No.148/2, Navaladiyan Complex
Thanthonimalai
Karur-639 005

8.K.Periyasamy
[R8 is impleaded *vide* Court order
dated 17.07.2017 in W.M.P.(MD)
No.10157 of 2017]

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to dispose the petitioner's representation dated 05.04.2016 consequently take enquiry against the respondents 3 to 7 on the basis of the petitioner's representation within the time stipulated by this Court.



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For Petitioner : Mr.K.Asok Kumar Ram

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R7
Mr.C.M.Arumugam for R8

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents 1 and 2 to dispose of the petitioner's representation dated 05.04.2016 and to conduct an enquiry as against the respondents 3 to 7 on the basis of the petitioner's representation, within the time stipulated by this Court.

2. According to the petitioner, during 2014, the third respondent called for tenders for construction of Check Dam, Percolation Pond, Fire Watching Towers and for other works and the respondents 3 to 7 were allotted the said works. Subsequently, the respondents 3 to 7 chosen one K.Periyasamy and in his favour, the said works were allotted for a sum of Rs. 2.82 Crores.



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3. Further, according to the petitioner, the said K.Periyasamy is not an authorized contractor, but he is an appointed contractor. Without completing the said works, the respondents 3 to 7 and the said K.Periyasamy submitted a bill as if the works have been completed and misappropriated the said amount. Ventilating the same, the petitioner sent a representation dated 05.04.2016 to the official respondents. Since the petitioner's representation has not been considered, he has filed this writ petition.

4. The Forest Range Officer / sixth respondent has filed a status report, dated 17.10.2022, stating that 17 civil works to an amount of Rs.55.20 Lakhs has been awarded to one K.Periyasamy and he has completed all the works in a fully satisfactory manner. After recording the M-Book and following the process of the relevant Code, the payment of Rs.55.20 Lakhs has been made to him by running the account bill system. Hence, there is no misappropriation of Government money, as alleged by the petitioner.

5. Recording the above statement made by the sixth respondent, this writ petition is dismissed as infructuous. If the petitioner is still



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aggrieved, he is at liberty to workout his remedy before the appropriate forum in the manner known to law. No costs.

[D.K.K., J.]

[K.K.R.K., J.]

18.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Karur District,
Karur.
- 2.The Zonal Forest Conservator,
O/o.Collectorate,
Dindigul District,
Dindigul.
- 3.The Divisional Forest Officer,
No.148/2, Navaladiyan Complex,
Thanthonimalai,
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- 4.The Superintendent,
O/o.Divisional Forest Office,
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- 5.The Junior Draft Officer,
No.148/2, Navaladiyan Complex,
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- 6.The Forest Ranger,
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- 7.The Forest Ranger,
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D.KRISHNAKUMAR, J.
and
K.K.RAMAKRISHNAN, J.

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