



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2025

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THE HONOURABLE MR JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.4616 of 2025

M.Ravi

S/o Manickkkam No 15, 2nd Street,
Nedunchezhiyan Street, Allapuram,
Thorapadi Post, Vellore District.

Petitioner

Vs

1. The Additional Chief Secretary to Government
Environment, Climate Change and Forest
(FR-11) Department, Secretariat,
Chennai 600 009.

2.The Principal Chief Conservator of Forest,
(Head of Forest Force)
Forest Head Quarters Building,
Guindy-Velacherry Main Road,
Guindy,
Chennai 600 032.

3.The Chief Conservator of Forest,
Chief Conservator of Forest Office,
Senthooram Street,
J.K. Nagar,
Trichy-23.



4. The Forest Engineer,
Forest Engineering Division,
1st Floor, Senthooram Street,
J.K. Nagar,
Trichy-23.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to consider the representation sent by the petitioner dated 16.11.2024 to settle the petitioner's claim amount as per the Empowering Committee Report and the communication sent by the 2nd respondent to the 1st respondent dated 17.10.2023 and pass such further orders.

For Petitioner : Mr.D.Rajagopal

For R1 to R4 : Mr.S.Rajesh,
Government Advocate

ORDER

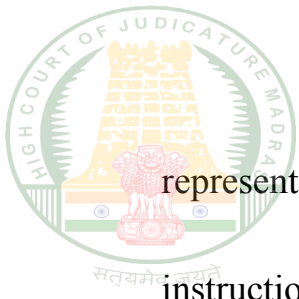
This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the representation sent by the petitioner dated 16.11.2024 to settle the petitioner's claim amount as per the Empowering Committee Report and the communication sent by the 2nd respondent to the 1st respondent dated 17.10.2023.



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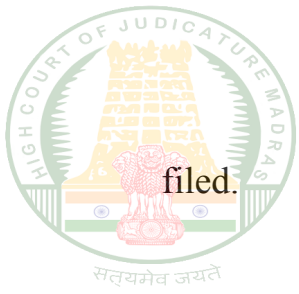
2. The case of the petitioner is that he is an approved Registered Contractor, recognized by the Forest Department, Highways Department, marketing committees, Town Panchayats and the Public Works Department. On 21.12.2004, the Forest Department issued a tender notice for Improvement and Black topping of Pudurnadu to Singarapettai of Aalangayam Block. The Petitioner participated in the tender process, and he got the work as a successful tender. On 13.4.2005, an Agreement was executed between the petitioner and the 4th Respondent and an amount of Rs.4,60,000/- was paid by the petitioner as Security Deposit along with the agreement. The Petitioner undertook to execute all the works as detailed in the estimate specifications and tender schedule for the sum of Rs.2,26,52,902/-only.

3. Learned counsel appearing for the petitioner would submit that the Forest Engineer issued a circular on 14.12.2006 directing the contractors to follow all the specifications and guidelines, issued in section 305 of the Ministry of Surface Transport Guidelines, which deals with Compacting Ground Supporting Embankment Subgrade. Pursuant to the same, the Petitioner sent a



representation dated 23.01.2007 by pointing out that for complying with the instructions, the compacting ground supporting embankment has to be done by filling gravels on both sides of the berms of the blacktopping works, and to execute the said work, an additional cost has to be included in the already sanctioned original estimate. On 16.02.2007 and 09.04.2007, a State Quality Monitoring Committee inspected the works and submitted Inspection Reports to the second respondent. However, no specific orders revising the estimate were issued, but the Authorities directed the petitioner with the instructions and to do the said works with an assurance that payment would be duly made.

4. In the year 2017, the Petitioner filed a writ petition in W.P.No.27529 of 2017 praying to quash the order passed by Forest Engineer Trichy and the consequential direction to constitute an Empowered Standing Committee. On 23.06.2023, pending writ petition, an Empowering Standing Committee was constituted, and an award was passed. On 13.11.2024, W.P.No.27529 of 2017 was disposed and on 16.11.2024, representation was given to disburse the award amount. Since the same was not considered, the present writ petition has been



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5. Learned Government Advocate appearing for the respondents would submit that the proposal was already forwarded to the Government on 17.10.2023 based on the Empowering Committee report dated 17.06.2023, and thereafter the clarification was sought by the Government vide letter No.7989/FR.11/2023-1 dated 29.07.2024, and thereafter the 2nd respondent submitted clarification / details vide C.No.TS1/17211/2017 dated 06.01.2025, submitting the additional details called for by the Government.

6. Learned Government Advocate further submitted that the proposal would be considered by the Government within a time frame by this Court.

7. Heard both sides and perused the materials available on record.

8. In view of the above facts and circumstances of the case, the 1st respondent is directed to consider the proposal sent by the 2nd respondent dated 17.10.2023, followed by the additional details submitted on 06.01.2025 on



merits, in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

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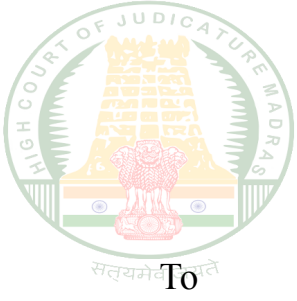
In the result, the **writ petition stands disposed of with the above observations and direction.** No costs.

03-03-2025

cda

Index: Yes/No

Speaking/Non-speaking order



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