



WEB COPY

WP No. 17448 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 17448 of 2020

and

WMP.No.21630 of 2020

S.Anthony Joseph
S/o.Sebastian, Iruppukurichi, U.Agaram Post,
Vriddhachalam Taluk, Cuddalore District

..Petitioner(s)

Vs

1. Tamil Nadu Forest Plantation Corporation Ltd
rep by its Managing Director,
Karur Road, Mallachipuram,
Kambarasampettai,
Tiruchirapalli- 620 101
2. The Regional Manager
Tamil Nadu Forest Plantation Corporation,
Virudhachalam Range,
450/1, Periyar Nagar (S),
Virudhachalam- 606 001
Cuddalore District

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records and order of the second respondent dated 02.09.2020 in Se.Mu.A.No.1198/ 2018/ K1 and quashing the same as illegal and directing the respondents to refund auction



amount of Rs.4,01,000/- paid by the petitioner to the respondents, who delayed confirmation of auction for collection of cashew nuts held on 09.01.2019 till 22.05.2019, on the basis of the petitioner's representation dated 17.12.2019.

For Petitioner(s): Mr.J.Antony Jesus

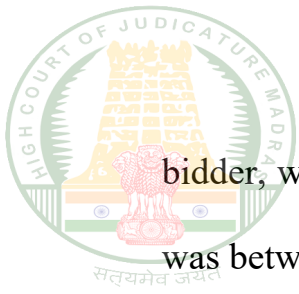
For Respondent(s): Mr.M.Sivavarthanan, Government Counsel

ORDER

Challenging the order of the second respondent dated 02.09.2020 in Se.Mu.A.No.1198/ 2018/ K1, the present Writ Petition has been filed. Further, the petitioner has sought for a direction to the respondents to refund auction amount of Rs.4,01,000/- paid by him to the respondents, who delayed confirmation of auction for collection of cashew nuts held on 09.01.2019 till 22.05.2019, on the basis of the petitioner's representation dated 17.12.2019.

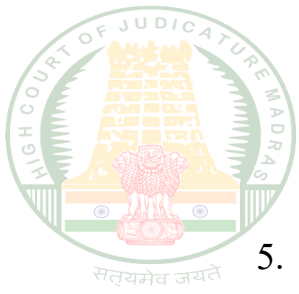
2. Heard the learned counsel appearing on either side.

3. It is the case of the petitioner that he is a registered contractor and participated in the auction of the lands owned by the first respondent to an extent of 18 hectares equivalent to 45 acres situated in Unit 64(A) in Narumanam, Virudhachalam region, Cuddalore District for the purpose of cultivating cashew nut crops for the year 2019-2020. He was the highest



bidder, who quoted Rs.4,01,000/- and the period for harvesting the cashew nuts was between 14.05.2019 and 30.06.2019 and also paid the EMD amount and the auction was in his favour. However, the respondents did not issue the confirmation order. While so, he filed a Writ Petition in W.P.No.13394 of 2019 seeking a direction to the respondents to issue confirmation order to the petitioner, confirming the auction held on 09.01.2019 in his favour, pursuant to which, he had paid the auction amount of Rs.4,01,000/-. However, the respondents claimed that the petitioner without the confirmation order had entered into the reserved forest area for harvesting the cashew nuts and had a quarrel with one Peter Leanord as if he had threatened the petitioner not to participate in the auction. A criminal case was registered against the petitioner and his son in Cr.No.49 of 2018 for attacking Peter Leanord in the forest area and a counter case was registered against the said Peter Leanord in Cr.No.50 of 2018. Pending FIR, the impugned order was passed by the second respondent on 02.09.2020, blacklisting the petitioner and hence, the petitioner has come forward with the above Writ Petition.

4. The learned counsel for the petitioner submitted that due to the registration of the false case as against the petitioner, he was black listed by the respondents. He further submitted that the petitioner has not committed any offence as alleged by the respondents and hence, prayed this Court to grant the reliefs as sought for by the petitioner in this Writ Petition.

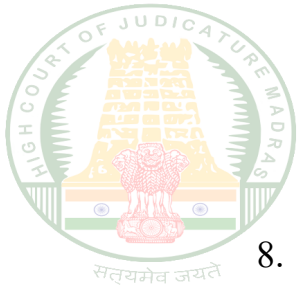


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5. Per contra, the learned Government Counsel for the respondents submitted that before passing of the impugned order dated 02.09.2020, show cause notice was issued to the petitioner and enquiry report has been filed, which was challenged by the petitioner in W.P.No.34720 of 2019, wherein this Court, on 16.12.2019 has directed the petitioner to withdraw the petition and work out his remedy for refund of his EMD amount before the competent forum. He added that when the said order is in force, the petitioner has come forward with the present Petition, which is not sustainable and thus, prayed for dismissal of the Writ Petition.

6. I have considered the rival submissions made by the respective learned counsel and also perused the materials available on record.

7. Considering the facts and circumstances of the case and also taking note of the submissions made on either side, this Court, without going into the merits of the case, permits the petitioner to make a representation to the respondents for revisiting the blacklist order and for refund of the EMD amount paid by him to the respondents, within a period of two weeks from the date of receipt of a copy of this order. On receipt of any such representation, the respondent concerned shall consider and dispose of the same on merits and in accordance with law, within a period of four weeks therefrom.



8. With the above directions, the Writ Petition is disposed of.

Consequently, connected Miscellaneous Petition is closed. There shall be no order as to cost.

02-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DP

To

1. Tamil Nadu Forest Plantation Corporation Ltd
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Tiruchirapalli- 620 101
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M.DHANDAPANI, J.

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