

WEB COPY

W.A.No.795 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.795 of 2026

and

C.M.P.No.8262 of 2026

1. State of Tamil Nadu,
Rep. by its Principal Secretary to
Government, Environment Forest and
Climate Change Department,
Government of Tamil Nadu,
Secretariat, Chennai – 600 009.
2. The Principal Chief Conservator of Forests
Head of Forest Force,
Guindy - Velacherry Main Road,
Guindy, Chennai – 600 032.
3. The Conservator of Forests,
Dharmapuri Forest Region,
Dharmapuri-5, Dharmapuri District.
4. The District Forest Officer,
Hosur Forest Division,
Hosur, Krishnagiri District.

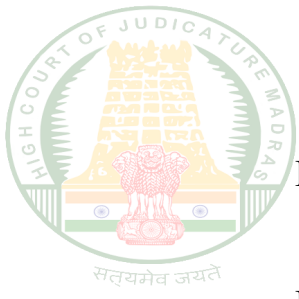
..Appellants

Vs

V.Rajendran

..Respondent

PRAYER : Appeal filed under Clause XV of Letters Patent to set aside the order made in W.P.No.26474 of 2023 dated 11.09.2023 and allow the above writ appeal



For Appellants:

Mr.R.Neethiperumal
Government Advocate

For Respondent:

Mr.M.R.Jothimanian

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Order

(Order of the Court was made by R.Suresh Kumar J.)

This intra-Court appeal has been directed against the order dated 11.09.2023 made in W.P.No.26474 of 2023.

2. In fact, it was a common order passed in both the writ petitions in W.P.Nos.26472 and 26474 of 2023.

3. In both the cases, the recovery made from the writ petitioners were questioned and the writ Court by following the earlier order passed by the writ Court made in W.P.No.662 of 2022 dated 03.08.2023 had allowed the said writ petition through the impugned order.

4. It has brought to our notice by the learned counsel appearing for both sides that, as against the order dated 03.08.2023 made in W.P.No.662 of 2022 in the matter of ***C.Subramani Vs. The Principal Secretary to Government, Environment and Forest Department, Government of Tamil Nadu, Secretariat, Chennai – 600 009 and others***, intra-Court appeal has been preferred by the State in W.A.No.2170 of 2024 and the same has been entertained and it is pending.



5. Nevertheless, the appellant Department without prejudice to the appeal, i.e., W.A.No.2170 of 2024 pending before this Court has decided to comply with the order passed by the writ Court dated 03.08.2023 made in W.P.No.662 of 2022, thereby an order has been passed on 25.03.2025, whereby the recovery made in respect of the said Subramani had been directed to be refunded, of course, subject to outcome of W.A.No.2170 of 2024.

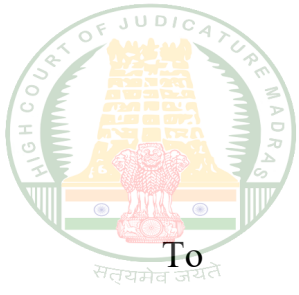
6. In view of the same, following the same dictum, we are inclined to admit this writ appeal.

7. The recovery made from the present respondent / writ petitioner in this appeal also shall be refunded by the appellant Department within a period of two months from the date of receipt of a copy of this order without prejudice to the rights and contention to be made by the appellants in the present appeal.

8. Post the matter along with W.A.No.2170 of 2024 for combined hearing.

(R.S.K., J.) (N.S., J.)
08-04-2026

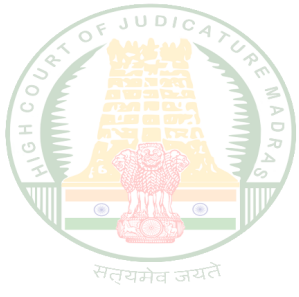
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To

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**R.SURESH KUMAR J.
AND
N.SENTHILKUMAR J.**

vji

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