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WP No. 27418 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 27418 of 2026

and

WMP No. 30046 of 2026

P.Chidambaram

..petitioner(s)

Vs

1. The District Forest Officer
Dharmapuri Forest Division
Dharmapuri
2. The Chief Accountant
Pension Department
Office of the District Forest Office
Dharmapuri District
Dharmapuri

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, seeking writ of certiorarified mandamus calling for the entire records in respect of the order passed by the 1st respondent in Se.Mu.AA.No.7109/2011/PA1 dated 16.4.2026 and quash the same.

For petitioner(s): Mr. D.Rajagopal

For Respondent(s): Mr. A.R.Balaji
Government Advocate



Order

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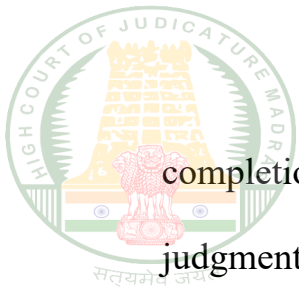
This writ petition has been filed for the following relief:

“To call for the entire records in respect of the order passed by the 1st respondent in Se.Mu.AA.No.7109/2011/PAI dated 16.4.2026 and quash the same.”

2. On 08.10.1987, the petitioner joined the services of the Forest Department as a Forest Guard. He was promoted as a Forester at Haroor Village, Dharmapuri District Forest Office.

3. The petitioner would submit that in the year 1995, the Deputy Superintendent of Police registered a criminal case in Crime No.RC3/(S)/95 as against the petitioner and 268 others who were forest officials, revenue officials and police officials, in respect of case involving offences u/s 143, 147, 149, 323, 427, 344 of IPC, 323 r/w 34 IPC, 376, 201 and 203 IPC and offences involving section 3(i)(x)(xi)(xiii)(xv) of SC/ST (Prevention of Atrocities Act 1989) and Section 3(ii) (vi) and (vii) and Section 4 of SC/ST Act. After investigation charge sheet was filed and the case was taken on file in SC No. 1/2008

4. The petitioner would submit that on 29.09.2011, the learned Principal Sessions Judge, Special Court for SC/ST (POA) Act, Dharmapuri, after



completion of trial was pleased to convict the petitioner. As against the said judgment, the petitioner preferred an appeal before this Court in Crl.A.No.671/2011. On 04.10.2011, the respondent herein suspended the petitioner from the service vide proceedings No.7109/2011/E1. On 29.09.2023, this Court was pleased to pass a common judgment confirming the judgment passed by the Trial Court and convicted the petitioner herein. Challenging the same, the petitioner preferred an appeal before the Hon'ble Supreme Court in SLP (Criminal) Diary No.49555 of 2023.

5. On 25.01.2024, the Hon'ble Supreme Court was pleased to exempt the petitioner from surrendering. Further, the Hon'ble Supreme Court directed the Registry to list the matter along with the connected SLP (Crl.)No. 15816/2023 and other connected matters. Thereafter, the respondent herein issued a show cause notice to the petitioner calling upon him as to why he should not be awarded statutory punishment of dismissal. The petitioner gave his explanation praying not to dismiss him from service and also to consider his earlier service.

6. On 15.04.2025, without considering his explanation the respondent herein passed an order of compulsory retirement. Thereafter, on 05.02.2026, the respondent herein in its proceedings in Na.Ka.No.7109/2011/PA1, issued a communication to the petitioner calling upon him to pay a sum of Rs.5,00,000/- to the Chief Minister's Relief Fund as per the order passed in



Crl.A.No.671/2011.

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7. The petitioner gave an explanation stating that since SLP (Crl.) Diary No.49555/2023 is pending before the Hon'ble Supreme Court for adjudication, the direction mentioned in the Crl.A.No.671/2011 has to be kept on hold pending disposal of the SLP.

8. The grievance of the petitioner is that on 16.04.2026, without considering the explanation given by the petitioner, the respondent herein passed an attachment order by attaching the leave encashment of the petitioner to recover a sum of Rs.5,00,000/-. Hence the present writ petition.

9. Heard the learned counsels on the either side and perused the records.

10. A perusal of the records would show that the attachment has been made pursuant to the judgement passed by this Court in Crl.A.No.618 of 2011 etc., batch dated 29.09.2023, where the first of the direction that was issued by this Court was as follows:

“Despite prior to the raid P.W.13 given many complaints to the District Collector and District Forest Officer, they have not taken any action on the complaint. Hence the Government of Tamil Nadu is directed to pay Rs.10 Lakhs immediately to each of

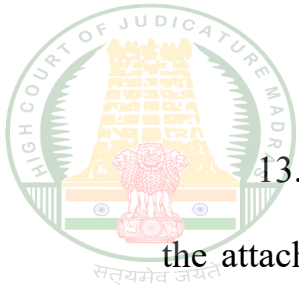


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the victims directly to their accounts in line with the decision of the Division Bench of this Court reported in 2016 (2) LW 561 (The Divisional Manager, The Oriental Insurance Company Limited, Kannur, Vs. Rajesh and Others), if the victim is not alive, pay the compensation to the family members of the victim concerned and out of Rs.10 lakhs, the Government shall recover 50% i.e. Rs.5 Lakhs from the accused, who have been convicted for the offence of rapre on the 18 victims and report the same before this Court.”

11. The petitioner and the others have challenged the same before the Hon'ble Supreme Court in SLP.(Crl.)D.No.49555 of 2023. By order dated 25.01.2024, the Hon'ble Supreme Court had only allowed the petitioner's request for exemption from surrendering and all other directions remained untouched.

12. It is pursuant to this order that the impugned order has been passed in compliance with the directions of this Court. The petitioner cannot question the impugned order as it merely complies with the direction of this Court in Crl.A.No.671 of 2011 which has not been stayed by the Hon'ble Supreme Court.



13. Accordingly, this writ petition is dismissed. It is needless to state that the attachment effected by the impugned order will be subject to the ultimate result in the SLP now pending before the Hon'ble Supreme Court.

Consequently, the connected miscellaneous petition is closed. No costs.

17-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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P.T.ASHA J.

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