

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29979 of 2015

S.T.Selvakumar

... Petitioner

Vs.

1 The Zonal Conservator
of Forest cum Field Director Office of the
Zonal Conservator of Forest Roja Nagar
Soolai Erode District.

2 The District Forest Officer
cum Dy. Director Sathyamangalam Tiger
Reserve Forest Aasansoor Forest Division
Erode District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to take up the appeal preferred by the petitioner on 07.03.2015 and to pass final order thereof within a time limit that may be stipulated by this Honourable Court.

For Petitioner : Mr.S.Mani
For Respondents : Mr.N.Inbanathan
Government Advocate (Forest)

सत्यमेव जयते

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner while working as Forest Guard applied for medical leave from 05.09.2013 to 14.09.2013 which was subsequently extended till 28.11.2013 and he continued his medical leave by periodically submitting medical leave till 27.01.2014 and when he recovered from illness, his wife has also suffered severe ailment and she was hospitalized for six months and therefore, the petitioner has to take care of his family and hence extended his medical leave for a further period and the petitioner was issued with charge memo dated 30.06.2014 on account of his larger absence and it ultimately resulted in the punishment of removal from service on 30.09.2014. The petitioner aggrieved by the order of

punishment issued by the second respondent, filed departmental appeal to the first respondent and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Mr.S.Mani, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate (Forest) who accepts notice on behalf of the respondents.

4.This Court taking into consideration the limited scope of the prayer sought for by the petitioner, directs the first respondent to consider and dispose of the petitioner's appeal memorandum/ petition dated 07.03.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

-sd/-

ASSISTANT REGISTRAR (CS-III)

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

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To

1 The Zonal Conservator
of Forest cum Field Director Office of the
Zonal Conservator of Forest Roja Nagar
Soolai Erode District.

2 The District Forest Officer
cum Dy. Director Sathyamangalam Tiger
Reserve Forest Aasansoor Forest Division
Erode District.

+1 CC to Mr.S.Mani Advocate. SR.NO.52581
+1 CC to Special Govt.Pleader. SR.NO.52069

W.P.No.29979 of 2015

CO-VD

JD 13/10/2015