

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2015

CORAM

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.32097 of 2015

P.Manivannan

.. Petitioner

Vs.

1. The Principal Chief Conservator
of Forest Office at Panagal Maaligai,
Saidapet, Chennai - 600 015.
2. The Conservator of Forest,
Chennai Region,
Chennai - 600 006.
3. The District Forest Officer,
Tiruvannamalai South Forest Division,
Tiruvannamalai District.
4. The District Forest Officer,
Chengalpet Division,
Chennai Region, Kancheepuram District.

... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the respondents, particularly the fourth respondent, to permit the petitioners to join duty in Chengalpet Forest Division, Chennai Region as Superintendent pursuant to the relieving order issued by the third respondent in his proceedings in Na.Ka.No.1755/2015/U1 dated 18.09.2015 and by considering the representation dated 25.09.2015 of the petitioner addressed to the fourth respondent.

For Petitioner : Mr.S.Mani

For Respondents: Mr.N.Inbanathan, G.A. (Forest)

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner, while working as an Assistant at the District Forest Office, Tiruvannamalai, South Zone, was given promotion as Superintendent and was transferred to Chengalpet Circle, but Chennai zone vide order of the third respondent dated 18.09.2015. The

petitioner was relieved from the Thiruvannamalai Division and when he went and report before the fourth respondent, he was not permitted to join duty in the promoted post and in this regard, the petitioner has given representation dated 25.9.2015 to the fourth respondent as well as to other respondents. However, the fourth respondent, vide letter dated 30.09.2015 has called for certain particulars as to whether any proceedings with regard to vigilance enquiry are pending against the petitioner under the provisions of Prevention of Corruption Act and as to the whether W.P.No.23425 of 2015 is pending or not.

3. Learned counsel appearing for the petitioner would submit that only charge memo under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules are pending against him and no case is pending under the provisions of the Prevention of Corruption Act. Insofar as W.P.No.23425 of 2015 is concerned, it is stated that the case number has been wrongly stated and the petitioner has filed W.P.No.29166 of 2015 and the said Writ Petition has been disposed of by this Court on 16.09.2015. Hence, there cannot be any impediment on the part of the fourth respondent to permit the petitioner to join duty as Superintendent and prays for appropriate orders.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Government Advocate, who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the fourth respondent to consider the representation of the petitioner dated 25.09.2015 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

1. The Principal Chief Conservator of Forest
Office at Panagal Maaligai,
Saidapet, Chennai - 600 015.
2. The Conservator of Forest,
Chennai Region,
Chennai - 600 006.

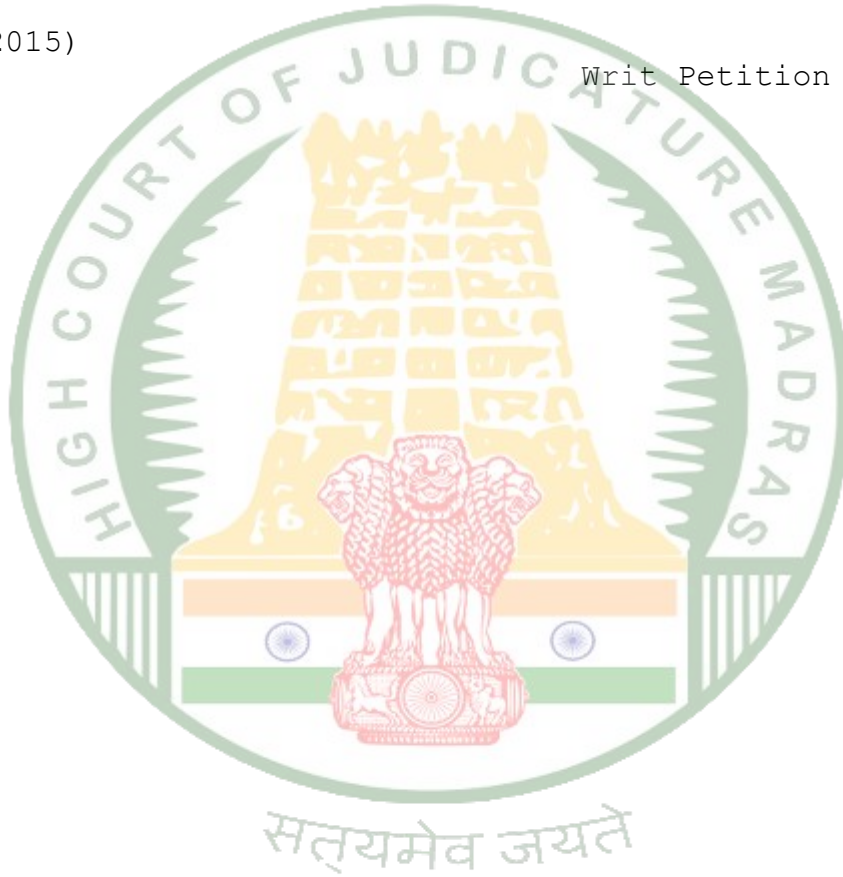
3. The District Forest Officer,
Tiruvannamalai South Forest Division,
Tiruvannamalai District.
4. The District Forest Officer,
Chengalpet Division,
Chennai Region, Kancheepuram District.

+1cc to Mr.S. Mani, Advocate, S.R.No.55069

+1cc to the Special Government Pleader, S.R.No.55557

JSV(CO)
EU(14/10/2015)

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