

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.32186 of 2015

C.Subramanian

.. Petitioner

vs

1. The Conservator of Forest
Salem Circle
Forest Campus
Cherry Road, Salem 7

2. The District Forest Officer
Attur Division
Vada Chennimalai & P.O.
Attur, Salem District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to dispose of the common appeal filed by the petitioner dated 17.3.2012, on merits and after affording an opportunity to the petitioner and as per Tamil Nadu Forest Afforestation Scheme.

For Petitioner : Mr.K.K.Senthilvelan

For Respondents : Mr.N.Inbanathan

Government Advocate (Forest)

ORDER

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

2.The petitioner would state that he was initially appointed as Ranger Trainee and was promoted as Forest Ranger and got further promotion as Assistant Conservator of Forest on 25.9.2011, and retired from service on 29.2.2012, on attaining the age of superannuation, and he on the verge of his retirement, was issued with a letter dated 5.1.2012, by the second respondent directing him to pay a sum of Rs.54,252/- for the alleged loss caused to the Government during the year 2006-2007, and he left with no other option, has paid the said amount and vide representation dated 22.2.2012, has requested the second respondent to refund/repay the amount and without proper

consideration and appreciation, the second respondent has rejected the said request vide series of orders dated 27.2.2012, and the petitioner aggrieved by the said orders, filed a common appeal dated 17.3.2012, to the first respondent and it was also followed by a reminder dated 20.10.2012, and since no orders have been passed, came forward to file this writ petition.

3.This Court heard the submissions of Mr.K.K.Senthilvelan, learned Counsel appearing for the petitioner, and Mr.N.Inbanathan, learned Government Advocate, who accepted notice on behalf of the respondents.

4.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, directs the first respondent to consider the petitioner's common appeal memorandum dated 17.3.2012, on merits and in accordance with law, and pass orders thereon within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To:

1. The Conservator of Forest
Salem Circle
Forest Campus
Cherry Road, Salem 7
2. The District Forest Officer
Attur Division
Vada Chennimalai & P.O.
Attur, Salem District

+ 1 cc to Spl.Govt.Pleader SR 55560

+ 1 cc to Mr.K.K.Senthilvelan, Advocate SR 55442

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