

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 14.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

WP.No.32911/2015

A.Jayaraj

.. Petitioner

Versus

1.The Secretary to Government
Government of Tamilnadu
Environment and Forest Department
Secretariat, Chennai 600 009.

2.The Principal Chief Conservator of Forest
Panagal Building, Chennai 600 015.

3.The District Forest Officer
Salem Division, Salem.

.. Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for a issuance of a writ of mandamus directing the 1st respondent to consider and pass order on the revision petition dated 27.07.2015 preferred by the petitioner against the order of 'Compulsory Retirement' passed by the 1st respondent vide Na.Ka.No.1638/2008 dated 17.03.2008 within a time frame.

For Petitioner : Mr.R.P.Murugan Raja

For Respondents: Mr.N.Inbanathan, GA [Forests]

ORDER

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

2 The petitioner, while working as the Superintendent in Sathyamangalam Division, Erode Circle, was visited with disciplinary proceedings in the form of charge memo dated 17.03.2008 issued by the 3rd respondent under Rule 17[b] of the Tamil Nadu Civil Services [Discipline and Appeal] Rules, with regard to certain irregularities. The Enquiry Officer has found that the charges framed against the petitioner have been proved and the petitioner has reached the age of superannuation, he was not permitted to retire on 31.03.2008 and subsequently, the 2nd respondent has imposed major penalty of compulsory retirement

from service vide order dated 12.05.2009. The petitioner, aggrieved by the said order, preferred a statutory appeal before the Government and it was also rejected on 15.12.2014 vide G.O. [D] NO.352 and the petitioner has filed a review petition dated 27.07.2015 to the 1st respondent and since no orders have been passed, he came forward to file this writ petition.

3 Heard the learned counsel for the petitioner and Mr.N.Inbabathan, learned Government Advocate who accepts notice on behalf of the respondents.

4 This Court, taking into consideration, the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's review petition dated 27.07.2015 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/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

AP
To

1.The Secretary to Government
Government of Tamilnadu
Environment and Forest Department
Secretariat, Chennai 600 009.

2.The Principal Chief Conservator of Forest
Panagal Building, Chennai 600 015.

3.The District Forest Officer
Salem Division, Salem.

+1 cc to M/s.R.P.Muruganraja, Advocate, sr.56558
+1 cc to The Spl.Govt.Pleader (Forest), sr.56771

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