

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.12864 of 2016

K.Chinnaraji

.. Petitioner

-vs-

1.The District Forest Officer,  
District Forest Division,  
Dharmapuri.

2.The Forest Range Officer,  
Forest Range Office,  
Dharmapuri.

3.The Forester,  
Thoppur Section,  
Forest Range Officer,  
Dharmapuri.

.. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the first respondent herein to dispose of the representation of the petitioner dated 10.02.2016 within the time frame fixed by this Court.

For petitioner : Mr.K.Thennan

For respondents: Mr.N.Inbanathan,  
Government Advocate (Forest)

ORDER

The petitioner, K.Chinnaraji, who served as Plot Watcher in Social Forest Range, Chengam, Thiruvannamalai District from 03.05.1984 and subsequently posted as Reserve Forest Watcher in the regular post on 11.12.2010 at Asanur Range, Sathiyamangalam Division, Erode District, was suffered an order of suspension on 05.08.2015 based on the complaint that he has demanded money from one Veeramani and also for the reason that a criminal case is pending, as reported by the Deputy Superintendent of Police, Vigilance and Anti Corruption, Dharmapuri in his letter No.Dharmapuri V & AC.Cr.No.03/Ac/2015 dated 05.08.2015. As he

has completed more than seven months from the date of suspension, he has given representations dated 23.10.2015, 24.12.2015, 20.01.2016 and 10.02.2016 to the District Forest Officer, Dharmapuri/the first respondent herein to revoke the same and re-instate him in service. Since there was no response whatsoever, he is before this court.

2.Learned counsel appearing for the petitioner would submit that since the petitioner has been kept under a prolonged suspension from 05.08.2015, the same needs to be considered, in the light of the judgment of the Hon'ble Apex Court in the case of Ajay Kumar Choudhary vs. Union of India through its Secretary & ANR in Civil Appeal No.1912 of 2015 dated 16.02.2015.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4.Considering the fact that the petitioner has been placed under suspension from 05.08.2015, the representations given by him deserve to be disposed of in the light of the judgment of the Hon'ble Apex Court in the case of Ajay Kumar Choudhary vs. Union of India through its Secretary & ANR in Civil Appeal No.1912 of 2015 dated 16.02.2015 (2015 (7) SCC 291). Therefore, the petitioner is directed to furnish a fresh representation along with a copy of the judgment stated supra to the first respondent, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the first respondent shall consider and pass orders, on merits and in accordance with law, within a period of four weeks thereafter.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

सत्यमेव जयते

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Sub Assistant Registrar

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To

1.The District Forest Officer,  
District Forest Division,  
Dharmapuri.

2.The Forest Range Officer,  
Forest Range Office,  
Dharmapuri.

3.The Forester,  
Thoppur Section,  
Forest Range Officer,  
Dharmapuri.

+1cc to Mr.K Thennan, Advocate, S.R.No.

+1cc to the Government Pleader, S.R.No.21923

KK(CO)  
EU(28/04/2016)

W.P. NO.12864 of 2016



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