

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.7951 of 2016

S.Sampath Kumar

.. Petitioner

-vs-

The District Forest Officer,  
Tirupattur Division,  
Tirupattur.

.. Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 20.01.2014 and 18.02.2014 and to provide 75 percentage of subsistence allowance and to revoke the order of suspension and re-instate the petitioner in non-sensitive area.

For petitioner : Mr.T.Dharani

For respondent : Mr.N.Inbanathan,  
Government Advocate (F)

ORDER

The writ petition has been filed by the petitioner seeking a direction to the respondent to consider and pass orders on the petitioner's representation dated 20.01.2014 and 18.02.2014 and to provide 75 percentage of subsistence allowance and to revoke the order of suspension and re-instate the petitioner.

2.The case of the petitioner is that he was appointed as Forest Guard on 27.10.2000, by District Forest Officer, Vellore. On the false report given by one R.Vardarajan, Pallakaniyur Village, Yelagiri Hills, a case was registered in Crime No.9 of 2013 under Section 7 of Prevention and Corruption Act by the Vigilance and Anti Corruption, Vellore on 15.05.2013 and on that basis, the respondent, in and by order dated 17.05.2013, had placed him under suspension, as per Clause (2) of Sub-rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. In this regard, he was arrested on 15.05.2013 and remanded to judicial custody and thereafter he was released on bail. Therefore, the petitioner submitted a representation dated 20.01.2014 and 18.02.2014 to the respondent to revoke the order

of suspension, but, the same has not evoked any response. Hence, he is before this Court.

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

4.Considering the limited relief sought for in this writ petition, without going into the merits of the case, the respondent is directed to consider the petitioner's representation dated 20.01.2014 and 18.02.2014 and pass appropriate 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.

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

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

vga  
To

The District Forest Officer,  
Tirupattur Division,  
Tirupattur.

+1 cc to Mr.Dharani Advocate sr.13861  
+1 cc to Special Government Pleader sr.13737

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