

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.28830 of 2017

P.Krishnan

.. Petitioner

-vs-

1.The Chief Secretary,
Govt. of Tamil Nadu,
Secretariat, St. George Fort,
Chennai 600 009.

2.The Secretary to Government,
Environment and Forests Dept.,
Secretariat, St. George Fort,
Chennai 600 009.

3.The Principal-Chief Conservator of
Forests, Panagal Buildings,
Saidapet, Chennai 600 015.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 3 to hand over this case to Central Bureau of Investigation for looting and loss to the Government to the tune of 122 crores of rupees in Tirupattur Additional Sandal Depot on fire occurred on 16.3.1997 and 800 crores of rupees of sandal wood trees smuggled out from Patta fields of Tirupattur and Tiruvannamalai Forest Divisions because of mismanagement of Thiru.Upathyay, D.F.O., Thirupattur Divisions, Thiru.T.S.Dange, DFO., Tiruvannamalai Division and Thiru.Promod Kant , Conservator of Forests, Vellore Circle and also it is prayed that this Crime and looting cases may be handed over to the Central Bureau of Investigation as per the Report/Suggestions given by Honourable Justice (High Court Judge Thiru.A.Raman, High Court, Chennai) dated 02.11.1999 and accepted by the Tamil Nadu Government in its G.O. (Ms.) No.257, Environment and Forests, dated 18.11.1999.

For Petitioner	:	Mr.G.Ameedius
For Respondents	:	Mr.T.N.Rajagopalan
		Govt. Pleader (In-charge) for R-1
	:	Mr.Santhana Raman,
		Addl. G.P. (F) for RR 2 and 3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

This writ petition has been filed seeking a Writ of Mandamus and/or appropriate Writs directing respondents 1 to 3 to handover the enquiry into the outbreak of fire at the Additional Sandal Depot at Tirupattur, which took place on 16.03.1997, to the Central Bureau of Investigation (CBI).

2.The incident, as noted above, took place on 16.03.1997, that is, over 20 years ago. Further, an enquiry was held by a Commission headed by a sitting Judge of this Court, Justice A.Raman (who has since retired). The Commission submitted its report on 02.11.1999. The report was accepted by the Government on 18.11.1999.

3.It appears that a writ petition being W.P.No.17734 of 2013 was filed by one Kannan against the State of Tamil Nadu and others for a direction on the sixth respondent/Director General of Police, CBCID, Chennai, to re-investigate the fire incident that had taken place on 16.03.1997 at the Additional Sandal Depot at Tirupattur, as per the recommendation of Justice A.Raman Commission. A Bench of this Court of co-ordinate strength presided over by the then Chief Justice passed an order dated 25.07.2016 closing the writ petition with the observation that the recommendations of the Commission had duly been implemented and that "the C.B.C.I.D. investigated the case and filed charge sheet against seven officials but the Fast Track Additional Sessions Court, Tirupattur, in the order dated 11.08.2006 in S.C.No.211 of 2004 passed an acquittal order giving benefit of doubt. The opinion thereafter obtained suggested no further action was required".

4.This writ petition and/or the affidavit in support thereof does not disclose any cogent reasons why investigation should be re-opened at this stage and handed over to the CBI.

The Writ Petition is not entertained and the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VIII)

// True Copy//

Sub Assistant Registrar

sra

To

1.The Chief Secretary,
Govt. of Tamil Nadu,
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2.The Secretary to Government,
Environment and Forests Dept.,
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Chennai 600 009.

3.The Principal-Chief Conservator of
Forests, Panagal Buildings,
Saidapet, Chennai 600 015.

+lcc to Mr.G.Ameedius, Advocate SR.No.80255

+lcc to Government Pleader SR.No.80331

+lcc to Special Government Pleader SR.No.80084

W.P.No.28830 of 2017

RR(CO)
GN(27/11/2017)



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