



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.14557 of 2017

and

WMP (MD) No.11385 of 2017

WEB COPY

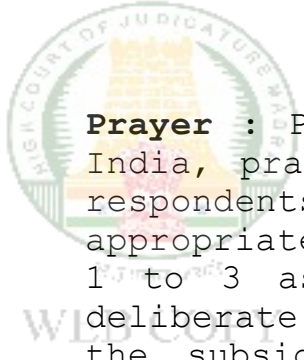
M.Kanthan

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
rep. By its Principal Secretary,
Environment and Forest Department,
Fort St. George,
Secretariat,
Chennai - 600 009.
- 2.The Principal Chief Conservator of Forest,
Panagal Building,
Jones Road, Saidapet,
Chennai - 600 015.
- 3.The Principal Chief Conservator of Forest and Planning Director,
TBGP Scheme, Velacherry,
Chennai - 600 100.
- 4.The Chief Conservator of Forest,
Forest Extension,
South Zone,
Madurai.
- 5.The Director,
Vigilance and Anti Corruption,
P.S.Kumarasamy Raja Street,
Raja Annamalaipuram, Chennai - 600 028.
- 6.The Chief Conservator of Forest,
Forest Extension South Division,
Race Course Road, Madurai.
- 7.Rajakulasekara Pandian,
Forest Extension Officer,
Office of Ponnakudi,
Thirunelveli Forest Extension Division, Tirunelveli,
Tirunelveli District.

... Respondents



Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents particularly, the 5th respondent to initiate appropriate legal proceedings at the instance of respondents Nos. 1 to 3 as against the 7th respondent for his malpractice and deliberate irregularity in his employment with a view to swindle the subsidy and funds in the scheme of TBGP (Tamilnadu Bio-diversity and Greening Project) and subsequent construction for the execution infrastructure for his personal gain forthwith.

For Petitioner : Mr.J.Sankarapandian

For Respondents : Mr.K.P.Narayanakumar for R7

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The petitioner seeks initiation of appropriate legal proceedings against the seventh respondent herein. The seventh respondent herein was a Forest Extention Officer in Tirunelveli Forest Extension Division.

2.According to the writ petitioner, the funds made available for distribution of plants and to defray the plantation expenses were misappropriated by the seventh respondent. According to the petitioner, he gave a representation dated 07.07.2017. But, no action was taken. Hence, this writ petition came to be filed.

3.The learned counsel for the seventh respondent made available the proceedings of the fourth respondent. It is seen from the communication dated 11.07.2017 submitted by the fourth respondent to the Principal Chief Conservator of Forest that an enquiry was conducted into the allegation of misappropriation of funds meant for Tamil Nadu Bio-diversity and Greening Project (TBGP). Though the writ petitioner was called upon to appear for enquiry, he did not choose to appear. The seventh respondent reached the age of superannuation on 31.07.2017. The fourth respondent has stated that there is no merit in the complaint lodged against him and that the same has been given to prevent the seventh respondent from peacefully retiring from service.

4.We carefully went through the affidavit as well as the typed set of papers. There are no materials in support of the allegations made by the petitioner. Therefore, we are inclined to sustain the stand taken by the fourth respondent. The writ petition is therefore dismissed. But, the dismissal of the writ petition will not preclude the authority from initiating action in accordance with law.



5.This writ petition is disposed of with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

- 1.The Government of Tamilnadu,
rep. By its Principal Secretary,
Environment and Forest Department,
Fort St. George, Secretariat, Chennai - 600 009.
- 2.The Principal Chief Conservator of Forest,
Panagal Building, Jones Road, Saidapet, Chennai - 600 015.
- 3.The Principal Chief Conservator of Forest and Planning Director,
TBGP Scheme, Velacherry, Chennai - 600 100.
- 4.The Chief Conservator of Forest,
Forest Extension, South Zone, Madurai.
- 5.The Director,
Vigilance and Anti Corruption,
P.S.Kumarasamy Raja Street,
Raja Annamalaipuram, Chennai - 600 028.
- 6.The Chief Conservator of Forest,
Forest Extension South Division,
Race Course Road, Madurai.

+1cc to M/S.S.PALANI VELAYUTHAM, Advocate SR.No.75175
+1cc to M/S.K.P.NARAYANA KUMAR, Advocate SR.No.75419
+1cc to Special Government Pleader, SR.No. 75365

Skm / Arul

MAS/KK/SAR2:19.09.2017:3P-10C

W.P(MD)No.14557 of 2017

and

WMP(MD) No.11385 of 2017

28.08.2017