

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 09.06.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) .No.9883 of 2017
and W.M.P. (MD) Nos.7576 of 2017**

A.Muthukumar

...Petitioner

Vs.

1. The District Forest Officer,
Thirunelveli Division,
Thiruvelveli - 627 007.

2. The Forest Ranger,
Courtrallam Forst Range @ Shencottai,
Thirunelveli District.

3. C.Sivanathan.

...Respondents

PRAYER:Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 1st and 2nd respondents from in any way permit the 3rd respondent by allowing the 3rd respondent from retired from service on his superannuation on 31.05.2017 from the 2nd respondent office and pending disposal of the case in WP (MD) No. 21165 of 2016 by considering the petitioner's representation dated 06.02.2017 & 23.03.2017.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.N.S.Karthikeyan, AGP

O R D E R

This Writ petition has been filed by the petitioner seeking to issue a Writ of Mandamus, forbearing the respondents 1 and 2 in permitting the 3rd respondent retiring from service on attaining superannuation on 31.05.2017 from the office of the 2nd respondent pending disposal of the case in W.P.(MD)No.21165 of 2016 by considering the petitioner's representations dated 06.02.2017 and 23.03.2017.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. Mr.N.S.Karthikeyan Additional Government Pleader takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.



4.The petitioner, who joined as Junior Assistant in the year 1982, was working as Junior Assistant (Special Grade) in the office of the 3rd respondent and placed under suspension. It is stated by the petitioner that the 3rd respondent by forging his educational qualification as if he completed 8th standard got promoted from the post of Watchman to Office Assistant. It is further stated that even though the said irregularities were brought to the notice of the higher authorities, the 3rd respondent was given promotion. Against the same, the petitioner filed a Writ petition in W.P.(MD)No.21165 of 2016 to show cause under what authority the 3rd respondent continues to hold the post of Office Assistant in the 2nd respondent office and notice was ordered. Even though the petitioner sought for an order of interim order not to allow the 3rd respondent retire from service, the same was not granted. It is seen that the petitioner after making some representations to the respondents, has approached this Court by filing the present Writ petition with the aforesaid prayer.

5.The petitioner, who is a third party, has no locus standi to come forward with such a prayer. Petitioner has not stated as to how he is aggrieved. No prejudice or legal injury is pleaded. Since the petitioner has no locus standi, the Writ petition liable to be dismissed. Accordingly, the Writ petition is dismissed. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. The District Forest Officer,
Thirunelveli Division,
Thirunelveli - 627 007.
 2. The Forest Ranger,
Courtrallam Forst Range @ Shencottai,
Thirunelveli District.
- +1cc to Special Government Pleader, SR.No.59788.

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and

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